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JOHN A. SANCHEZ
Lt. Governor

NEW MEXICO
ENVIRONMENT DEPARTMENT

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BUTCH TONGATE
Cabinet Secretary

J. C. BORREGO
Deputy Secretary

Certified Mail - Return Receipt Requested

February 16, 2018

Sherry Burt-Kested
Manager
Freeport-McMoRan Inc.
PO Box 10,
Bayard, NM 88023

Re: **Freeport McMoRan, Inc. Cobre Mine; MSGP; Minor; SIC 1021; NPDES Compliance Evaluation Inspection; NPDES #NMR053226; January 18, 2018**

Dear Ms. Burt-Kested:

Enclosed please find a copy of the report and check list for the referenced inspection that the New Mexico Environment Department (NMED) conducted at your facility on behalf of the U.S. Environmental Protection Agency (USEPA). This inspection report will be sent to the USEPA in Dallas for their review. These inspections are used by USEPA to determine compliance with the National Pollutant Discharge Elimination System (NPDES) permitting program in accordance with requirements of the federal Clean Water Act.

Introduction, detailed site observations, and findings noted during this inspection are discussed in the inspection report.

You are encouraged to review the inspection report, required to correct any problems noted during the inspection, and advised to modify your operational and/or administrative procedures, as appropriate. If you have comments on or concerns with the basis for the findings in the NMED inspection report, please contact us (see the address below) in writing within 30 days from the date of this letter. Further, you are encouraged to notify in writing both the USEPA and NMED regarding modifications and compliance schedules at the addresses below:

Robert Houston
US Environmental Protection Agency, Suite 1200
Enforcement Branch (6EN-WS)
1445 Ross Avenue
Dallas, Texas 75202-2733

Sarah Holcomb, Program Manager
New Mexico Environment Department
Surface Water Quality Bureau
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

If you have any questions about this inspection report, please contact Jennifer Foote at (505) 827-0596 or at Jennifer.Foote@state.nm.us.

Sincerely,

/s/ Shelly Lemon for

Sarah Holcomb
Program Manager
Point Source Regulation Section
Surface Water Quality Bureau

Cc: Carol Peters-Wagnon, USEPA (6EN-WM) by e-mail
David Long, USEPA (6EN-WM) by e-mail
Amy Andrews, USEPA (6EN-WM) by e-mail
David Esparza, USEPA (6EN-WM) by e-mail
Robert Houston, USEPA (6EN-WS) by e-mail
Darlene Whitten-Hill, USEPA (6EN-WC) by e-mail
Nancy Williams, USEPA (6EN-WC) by e-mail
Mike Kesler, NMED District III by e-mail
Kurt Vollbrecht, Program Manager, GWQB MECS by email
Holland Shepherd, Program Manager, Mining Act Reclamation Program, EMNRD, by email
Kariann Sokulsky, Freeport McMoRan Environmental Services, by email

EPA

Form Approved
OMB No. 2040-0003
Approval Expires 7-31-85

NPDES Compliance Inspection Report

Section A: National Data System Coding

Transaction Code	NPDES	yr/mo/day	Inspec. Type	Inspector	Fac Type
N	NMR0532261	180118	~	S	2

Remarks: METAL MINING SECTOR G

Inspection Work Days	Facility Evaluation Rating	BI	QA	Reserved
	2	N	N	

Section B: Facility Data

Name and Location of Facility Inspected *(For industrial users discharging to POTW, also include POTW name and NPDES permit number)*
Freeport McMoRan Inc., Cobre Mine,
303 Fiero Road, Hanover, NM, Grant County
From Silver City, take Hwy 180 east to Hwy 152. Take Hwy 152 west to Hanover and head north on Fiero Rd to the Cobre Mine entrance.

Entry Time /Date: 8:45 am 1/18/18

Exit Time/Date: 6:45 pm 1/18/18

Permit Effective Date: 6-4-2015

Permit Expiration Date: 6-4-2020

Name(s) of On-Site Representative(s)/Title(s)/Phone and Fax Number(s)
Ms. Kariann Sokulsky, Environmental EngineerManager, FMI Chino Environmental Services, 575-912-5927
Mr. Christian Krueger, FMI Chino Environmental Services, 575-912-5349

Name, Address of Responsible Official/Title/Phone and Fax Number

Ms. Sherry Burt-Kested, Environmental Services Manager, FMI Chino Mine
PO Box 10, Bayard, NM 88023

Contacted: Yes [x] No [ ]

Other Facility Data

SIC CODE: 1021

GPS: 32.831, -108.0899

Section C: Areas Evaluated During Inspection

(S = Satisfactory, M = Marginal, U = Unsatisfactory, N = Not Evaluated)

S	Permit	N	Flow Measurement	N	Operations & Maintenance	N	CSO/SSO
M	Records/Reports	M	Self-Monitoring Program	N	Sludge Handling/Disposal	N	Pollution Prevention
N	Facility Site Review	N	Compliance Schedules	N	Pretreatment	N	Multimedia
N	Effluent/Receiving Waters	N	Laboratory	M	Storm Water	N	Other:

Section D: Summary of Findings/Comments (Attach additional sheets if necessary)

1. The inspector arrived at the facility at approximately 0800 hours, accompanied by Ms. Amy Andrews of EPA, and after reviewing the site safety video, conducted an entrance interview with Mr. Christian Krueger and Ms Kariann Sokulsky, Mr. Andrew Zamora, and Mr. David Andersen where they made introductions, presented credentials, and explained the purpose of the inspection. Additional people were present for portions of the site visit. An exit interview was conducted on the same day (see sign in sheet in Appendix for attendees) at approximately 6pm where Ms. Foote presented the preliminary findings of the inspection. Digital copies of the SWPPP were provided for office review.

2. Please see checklist and appendices for further information.

Name(s) and Signature(s) of Inspector(s)	Agency/Office/Telephone/Fax	Date
Jennifer Foote */s/ Jennifer Foote*	NMED/SWQB 505-827-0596	2/16/18
Signature of Management QA Reviewer	**Agency/Office/Phone and Fax Numbers**	**Date**
Sarah Holcomb, Program Manager */s/Shelly Lemon for*	NMED/SWQB 505-827-2798	2/16/18

NPDES Industrial Storm Water Checklist (MSGP)

National Database Information			
Inspection Type	Compliance Evaluation		
NPDES ID Number	NMR053226		
Inspection Date	1/18/18		
Inspector Type	☐EPA	☒State	☐EPA Oversight
Facility Sector/ SIC/Activity Code	Sector G SIC 1021		

General	
Inspector Name	Jennifer Foote
Telephone	505-827-0596
Entry Time	8:45 AM
Exit Time	6:45 PM
Signature	*ls/ Jennifer Foote*

Facility Location Information				
Name/Location/ Mailing Address	Freeport-McMoRan Cobre Mining Company 303 Fierro Road Hanover, New Mexico 80041			
GPS Coordinates	Latitude	32.8556	Longitude	108.0865
Receiving Water(s)	Hanover Creek, 20.6.4.98			

Contact Information		
	Name(s)	Telephone
Name(s) and Role(s) of All Parties Meeting the Definition of Operator	Sherry Burt-Kested, Manager	575-921-5927
Facility Contact	Christian Krueger Kariann Sokulsky	575-912-5349 575-912-5386
Authorized Official(s)	Sherry Burt-Kested, Manager	575-921-5927

Basic Permit Information		
Permit Coverage	☒ Y	☐N
Permit Type	☒ General	☐ Individual
Operational Date	In 2007 Freeport-McMoRan became the owner at this location	
NOI/Application Date	9/9/15	
If applicable, is no exposure certification on file?	☐ Y	☐N ☒N/A

Basic SWPPP Information		
SWPPP Prepared & Available	☒ Y	☐N
SWPPP Contents Satisfactory	☐ Y	☒N
SWPPP Implementation Satisfactory	☐ Y	☒N
SWPPP Date	August 2015	
Intentionally left blank		

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Review			
General			**Notes:**
Was the SWPPP completed prior to NOI submission?	☒ Y	☐ N	
Copy of the NOI and acknowledgment letter from EPA?	☐ Y	☒ N	Plan included filled out submittal form (not dated).
Copy of the permit language?	☒ Y	☐ N	
Have copies of inspection reports/all other documentation been retained as part of the SWPPP for 3 years from date permit coverage expires?	☐ Y	☐ N	N/A
Does the SWPPP contain a signed/certified statement indicating that the site is inactive and unstaffed, and that there are no industrial materials or activities exposed to precipitation, in accordance with the substantive requirements in 40 CFR 122.26(g)(4)(iii)? Applicable to: • Routine facility inspection (4.1.3) • Quarterly visual assessment (4.2.3) • Benchmark monitoring (6.2.1.3).	☐ Y	☐ N	N/A
Does the SWPPP include copies of relevant parts of other documents (e.g., SPCC) referenced in the SWPPP?	☒ Y	☐ N	SPCC not included or referenced, but staff stated there was one. Documents included: Supplemental Materials Characterization of the Main Tailings Impoundment and Waste Rock Disposal Facilities at the Continental Mine dated August 2008 and Construction Completion Report Water Management System Upgrades dated Sept 2013.
Does the SWPPP include documentation to support eligibility under the Endangered Species Act?	☒ Y	☐ N	
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act?	☐ Y	☒ N	NOI lists Criterion A: Your stormwater discharges and allowable non-stormwater discharges do not have the potential to have an effect on historic properties and you are not constructing or installing new stormwater control measures on your site that cause subsurface disturbance; The plan states "Current discharge-related activities within the Cobre permit boundaries were evaluated for earlier Multi-Sector General Permit SWPPPs and have no potential to impact historic properties. " The special projects do not include any information on evaluations for disturbance in those areas, however these projects do involve disturbance.

NPDES Industrial Storm Water Checklist (MSGP)

General			Notes:
Does the SWPPP include documentation to support eligibility under NEPA (New Source)?	☐ Y	☐ N	N/A
Did all "operators" sign/certify the SWPPP?	☐ Y	☒ N	Main SWPPP certified by John Brack (retired), VPNMOPS General Manager Chino Mines, September 2, 2015. Special projects updates are not certified as required per Part 5.3 of the permit which states: SWPPP modifications must be signed and dated in accordance with Appendix B, Subsection 11.
Is the storm water pollution prevention team identified (name or title)?	☒ Y	☐ N	Onsite SWPPP was updated with new team members as needed.
Are the storm water pollution prevention team's responsibilities identified?	☐ Y	☒ N	SWPPP does not provide information on qualifications of SWPPP preparer (Part 5.1)

NPDES Industrial Storm Water Checklist (MSGP)

Site Description			Notes:
SWPPP provides a description of the facility's industrial activities?	☒ Y	☐ N	The plan states there are currently no active (8.G.3.3) or inactive (8.G.3.5) mining activities currently covered by the plan. It is unclear which of the temporarily inactive facilities (8.G.3.6) described are exposed to stormwater and may discharge; as well as how they relate to the basins in the plan.
Is there a general location map (e.g., USGS quadrangle map) with enough detail to identify the location of the facility and all receiving waters for storm water discharges?	☐ Y	☒ N	The location of the facility limits are unclear on the site map for the SWPPP. The watershed and non discharge boundary are indicated. Some locations within the watershed are not part of the facility SWPPP.
Is there a site specific site map?	☒ Y	☐ N	
Does the site map contain the size of the property in acres?	☐ Y	☒ N	
Does the site map contain the location and extent of significant structures and impervious surfaces?	☐ Y	☒ N	Buildings are shown, carpenter shop is not labeled, There is no indication if areas are paved or not.
Does the site map contain directions of storm water flow (indicated by arrows)?	☒ Y	☐ N	Site map does not include flow arrows for areas not included in the plan such as north side of Hanover Mountain or the new powerline road that was under construction. Staff stated that the road was graded to direct all flow inward.
Does the site map contain locations of all existing structural control measures?	☐ Y	☒ N	Structural control measures are only described in general terms, not specific locations, and may be missing recently added features.
Does the site map contain locations of all receiving waters in the immediate vicinity of the facility, indicating if any of the waters are impaired, and if so, whether the waters have TMDLs established for them?	☒ Y	☐ N	Receiving waters are not listed as impaired.
Does the site map contain locations of all storm water conveyances including ditches, pipes and swales?	☐ Y	☒ N	Map is not detailed enough to show locations of berms and swales, it only shows general flow direction. Location of process water pipeline (potentially contaminated stormwater and seep water) not shown.
Does the site map contain locations of all potential pollutants and significant materials identified under Part 5.1.3.2?	☐ Y	☒ N	The plan does not identify specific potential pollutants and materials on site but states that *These requirements are listed in the MSGP but may not necessarily be applicable or existing currently at this site". Site map includes location of storage areas on the north side of Hanover Mountain, but staff said they had been removed.
Does the site map contain locations where significant spills or leaks identified under Part 5.1.3.3 have occurred?	☐ Y	☒ N	Location of Poison Springs spill is not on site map. The spill of process water (storm water and collected seep water) occurred on Aug 19, 2014.
Does the site map contain locations of all storm water monitoring points?	☒ Y	☐ N	

NPDES Industrial Storm Water Checklist (MSGP)

Site Description			Notes:
Does the site map contain locations of storm water inlets and outfalls, with a unique identification (e.g., 001, 002) for each outfall and if substantially identical?	☐ Y	☒ N	Only identifies monitored locations. No explanation of why areas like the north side of Hanover Mountain are not monitored or are substantially identical. Attachment 7 to the plan seems to indicate most discharges are essentially the same, but only lists two outfalls as substantially identical, both outfalls are monitored. The permit information available on ICIS lists 10 outfalls: BG1, BG2, DAM2, GG01, GG02, HC01, HC02, HC03, PS02, PS03. The SWPPP and maps identify 8 outfalls: SWHC-1, SWHC-2, SWHC-3, SWGG-1, SWGG-2, SWPS-2, SWPS-3, and DAM2.
Does the site map contain municipal separate storm sewers and where the facility discharges to them?	☐ Y	☐ N	N/A
Does the site map contain locations and descriptions of all non-storm water discharges?	☐ Y	☒ N	Map does not describe non-storm water discharges.
Does the site map contain locations of the following activities where these activities are exposed to precipitation? • Fueling stations • Vehicle and equipment maintenance and/or cleaning areas • Loading/unloading areas • Locations used for the treatment, storage or disposal of wastes • Liquid storage tanks • Processing and storage areas • Immediate access roads and rail lines used or travelled by carriers of raw materials, manufactured products, waste materials, or by-products used or created by the facility • Transfer areas for substances in bulk • Machinery	☐ Y	☒ N	Potential Pollutant table (see Appendix B of this report) includes potential pollutant sources (such as Grape Gulch basin Mill #1, and truck and rail load facility) which are not labeled on the SWPPP site map. New explosives storage area south of landfill has not been added to the map. Site maps for Special Projects do not show porta potty locations (storage of waste).
Does the site map contain locations and sources of run-on to the site from adjacent property that contains significant quantities of pollutants?	☐ Y	☐ N	N/A
Does the SWPPP document areas at the facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released?	☐ Y	☒ N	Plan mainly refers to the regulations for allowable non-stormwater and does not specify what allowable non-storm water is expected at the facility. The SWPPP Part 3.4 Unauthorized Non-stormwater Discharges Documentation states "During the 2013 evaluation, an additional outfall (Dam 2) was identified. Documentation of the outfall evaluation is provided in Attachment 7 of this SWPPP". Attachment 7 is the

NPDES Industrial Storm Water Checklist (MSGP)

Site Description			Notes:
			Substantially Identical Outfall Evaluation and does not include allowable non storm water discharges in the descriptions.
Does the SWPPP include a list of the industrial activities exposed to storm water (e.g., material storage; equipment fueling, maintenance, and cleaning; cutting steel beams)?	☒ Y	☐ N	Attachment 8 of the SWPPP
Does the SWPPP include a list of pollutants and/or pollutant constituents associated with each identified activity?	☒ Y	☐ N	Attachment 8 of the SWPPP
Does the SWPPP include documentation of where spills and leaks occurred for three years prior to the preparation of the SWPPP?	☒ Y	☐ N	Plan states "One discharge from the Bullfrog pipeline, transporting collected storm and seepage waters to the nearby Chino Mine, occurred within the discharge boundary during the past three years." More detailed location information was not included in the SWPPP.
Does the SWPPP include a non-storm water discharge evaluation in the SWPPP? Does it include: • Date • Description of evaluation criteria • List of the outfalls or onsite drainage points directly observed • Different types of non-storm water discharges and source locations • Actions taken such as a list of control measures for elimination.	☐ Y	☒ N	Part 3.4 Unauthorized Non-stormwater Discharges Documentation states "During the 2013 evaluation, an additional outfall (Dam 2) was identified. Documentation of the outfall evaluation is provided in Attachment 7". However, Attachment 7 is the Substantially Identical Outfall Evaluation and does not mention what non-storm water may have been noted or its source location. It does mention seep protections, but not what seeps were observed and if they contained contaminates.
Does salt storage occur at this facility?	☐ Y	☒ N	Plan states salt is not stored within areas covered by the SWPPP.
Does the SWPPP include a summary of storm water sampling data for the previous permit term?	☐ Y	☒ N	All the DMRs are included, however there is no summary of the collected sampling data to support identification of potential pollution sources at the facility.

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants			Notes:
Does the SWPPP include documentation of the location and type of control measures at the facility to comply with the requirements in Part 2?	☐ Y	☒ N	No specific locations, only described in Appendix 8.
Does the SWPPP include documentation that selection and design of control measures were based on a consideration of the practices and procedures in Part 2.1.1?	☐ Y	☒ N	No documentation of selection and design of control measures is included in the plan.
Does the SWPPP include measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff by either locating these industrial materials and activities inside or protecting them with storm resistant coverings?	☒ Y	☐ N	
Does the SWPPP include good housekeeping measures (e.g., keeping all exposed areas that are potential sources of pollutants clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers)?	☒ Y	☐ N	
Does the SWPPP include a schedule for pickup and disposal of wastes and routine inspections of tanks and drums?	☒ Y	☐ N	
Does the SWPPP include preventative maintenance procedures, including regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line?	☒ Y	☐ N	
Does the SWPPP include a schedule for preventative maintenance procedures?	☒ Y	☐ N	Plan states all control measures will be inspected quarterly.
Does the SWPPP include procedures for minimizing the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur?	☒ Y	☐ N	

NPDES Industrial Storm Water Checklist (MSGP)

Does the facility implement procedures for plainly labeling containers (e.g., "Used Oil," "Spent Solvents," "Fertilizers and Pesticides," etc.) that could be susceptible to spillage or leakage to encourage proper handling and facilitate rapid response if spills or leaks occur?	☐ Y	☐ N	N/A
Does the facility implement preventative measures such as barriers between material storage and traffic areas, secondary containment provisions, and procedures for material storage and handling?	☐ Y	☐ N	N/A
Does the facility implement procedures for expeditiously stopping, containing, and cleaning up leaks, spills, and other releases?	☒ Y	☐ N	
Does the facility train employees who may cause, detect, or respond to a spill or leak in these procedures and have necessary spill response equipment available?	☒ Y	☐ N	
Does the facility document and follow procedures for notification of appropriate facility personnel, emergency response agencies, and regulatory agencies?	☒ Y	☐ N	

NPDES Industrial Storm Water Checklist (MSGP)

Controls to Reduce Pollutants			Notes:
Does the SWPPP document erosion and sediment controls?	☐ Y	☒ N	The Special Projects SWPPP did not document selection of controls, it only listed a menu of BMPs that could be used and documenting locations post installation as inspections determined they were needed. Part 8.G.4.2.1 states you must account for the factors when designing erosion and sediment controls. The SWPPP did not include information on buffers as required in 8.G.4.2.3.
Does the facility stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants?	☐ Y	☒ N	The SWPPP did not document stabilization requirements per 8.G.4.2.11 for the special projects. No minimization of area of disturbance was documented.
Does the facility place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants?	☐ Y	☒ N	No documentation of how "necessary" is determined. There were no plans for stabilization of culvert outlets at the haul road construction.
If the facility stores salt at this facility, are the piles enclosed or covered? Does the facility implement appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile?	☐ Y	☐ N	N/A
Employee Training – is there a schedule for regular (at least annually) employee training?	☒ Y	☐ N	Plan states records will be kept in the plan, but they are done at the safety office for the general site. The special projects training is retained with those plans.
Does training cover both the specific control measures used to achieve the effluent limits in Part 2 and monitoring, inspection, planning, reporting, and documentation requirements in other parts of the permit?	☐ Y	☒ N	Training does not include reporting and documentation requirements.
Does the facility ensure that waste, garbage, and floatable debris are not discharged to receiving waters by keeping exposed areas free of such materials or by intercepting them before they are discharged?	☐ Y	☐ N	N/A
Does the facility minimize generation of dust and off-site tracking of raw, final, or waste materials?	☒ Y	☐ N	
Has the facility eliminated non-storm water discharges not authorized by an NPDES permit?	☐ Y	☐ N	N/A

NPDES Industrial Storm Water Checklist (MSGP)

Notes on SWPPP Review

In general, the SWPPP seems to repeat the regulations and does not provide clear specific information about what is included and not included in the MSGP Stormwater Permit Coverage or how controls were designed to prevent discharges of pollutants.

FMI is handling special projects such as the construction of the haul road into supplementary SWPPPs and concurrent inspection reports.

The special projects SWPP plans are not stand alone documents, but their method of addendum to the main plan are also not described. The subcontractors are covered under this permit, however the relationship to manage the subcontractors is not described in the SWPPP. A menu of general BMP and pollutant information is included in the training slides and then documented after installation with locations noted on the site map. There are no specifications for controls, no reference to SPCC for the 10,000 gallon fuel tank in the Special Projects SWPPP and referenced construction drawings were not included in the Special Projects SWPPP. Previous versions of site maps were not included in the project documentation, so only the current version was able to be reviewed. No estimates of acreage were included in the special projects descriptions or maps.

The NOI estimates the area of industrial activity is 83 acres. The Plan states the area covered by the New Mexico Mining Act (NMMA) permit is 13,000 acres and then describes several subareas which are or are not covered by the MSGP permit. The plan did not clearly describe which areas were included in the 83 acres listed on the NOI. The descriptions do not make it clear why portions of Hanover mountain are monitored and not monitored. The watershed and non discharge boundary are indicated. The site map mostly shows locations of these activities inside the NDB, which Section 2.1.4 of the plan states: Figures 1 through 6 provide maps which include details of the portion of the facility that does not discharge stormwater runoff – the Non-Discharge Boundary (NDB). **The runoff in this area** is controlled either by natural topography or BMP structures, and **is not part of the permitted coverage**."

Discussions of why the area of Dam 2 were added to the permit seemed to indicate it was due to a large flood where the dam overtopped. The facility is doing visual monitoring of this "outfall" even when it doesn't discharge.

Site Description:

This permit covers the inactive Cobre Mine facility(Sector G Metal Mining) with 8 designated outfalls and 4 "Special Projects" (construction of access roads): Cobre Onsite Haul Road Construction, Cobre Haul Road, Highway 152 Arch Structure, Forest Road and Hanover Creek Arch Structure. The access road for the new powerline was not described in a SWPPP. The Mine has been on standby since 1999 and is preparing to start active operations in Summer 2018.

NPDES Industrial Storm Water Checklist (MSGP)

Inspections (Part 4)			
General			**Notes:**
Routine Facility Inspections			
Are routine facility inspections conducted at least quarterly while facility operating?	☒ Y	☐ N	
Are inspections documented, including: • Date and time • Name and signature of inspector • Weather information and a description of discharge occurring at the time of the inspection • Previously unidentified discharges from site • Control measures needing maintenance or repairs • Failed control measures that need replacement • Incidents of noncompliance observed • Additional control measures needed.	☐ Y	☒ N	No time, only date on inspection form. Inspection form does not include information on if a discharge has or is occurring. Only "if they appear to be discharging excessive pollutant loads." At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring. Routine BMP Inspections for 2017 were reviewed, it appeared none occurred while a discharge occurred and no documentation of why this was not possible was included. Inspection form does not include information on if industrial equipment, drums, tanks and other containers are inspected for leaks or spills. Form does not include information on if any incidents of noncompliance were observed. Form does not include specifics on where BMP maintenance was completed or where future maintenance is needed
Exceptions, including: • Inactive and unstaffed sites	☐ Y	☐ N	N/A
Quarterly Visual Assessment			
Are quarterly visual assessments conducted?	☒ Y	☐ N	
Does the assessment consist of a sample collected: • Within the first 30 minutes of discharge • On discharges that occur at least 72 hours (3 days) from the previous discharge • Collected in a clean, clear glass or plastic container.	☐ Y	☒ N	Samples are examined several days after the sample is collected from the autosampler.

NPDES Industrial Storm Water Checklist (MSGP)

Inspections			
Are assessments documented, including: • Sample location • Sample collection date/time & visual assessment date/time • Personnel collecting sample & performing assessment and their signature • Nature of the discharge (runoff or snowmelt) • Results of observations (including color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators) • Probable sources of contamination • If applicable, reason for not taking samples within 1st 30 minutes.	☐ Y	☒ N	No information on where rain gage is. Forms do not indicate that samples are collected within 30 minutes of discharge beginning. Samples are examined several days after the sample is collected from the autosampler.
Exceptions, including (see 4.2.3): • Adverse weather conditions • Climates with irregular storm water runoff • Areas subject to snow • Substantially identical outfalls (per 5.1.5.2) • Inactive and unstaffed sites.	☐ Y	☒ N	Exceptions are not documented. Also, the dam 2 outfall is sampled even when a discharge does not normally occur. There is no documentation of which storm events sampled actually discharged.
Comprehensive Site Inspections			
Are comprehensive site inspections conducted annually (start 9/29/08)?	☐ Y	☐ N	N/A
Conducted by qualified personnel including at least one member of the storm water pollution prevention team?	☐ Y	☐ N	N/A
Cover all areas of the facility?	☐ Y	☐ N	N/A
Include a review of monitoring data? Do inspectors consider the results of the past year's visual and analytical monitoring when planning and conducting inspections?	☐ Y	☐ N	N/A
Include observations of the following: • Industrial materials, residue, or trash that may have or could come into contact with storm water • Leaks or spills from industrial equipment, drums, tanks, and other containers • Offsite tracking of industrial or waste materials, or sediment where vehicles enter or exit the site • Tracking or blowing of raw, final, or waste materials from areas of no	☐ Y	☐ N	N/A

exposure to exposed areas • Control measures needing replacement, maintenance, or repair • All storm water control measures observed.			
Are inspections documented, including: • Date of inspection • Names and titles of personnel making the inspection • Findings from examination of areas of facility from Part 4.3.1 • All observations relating to implementation of control measures • Any required revisions to the SWPPP resulting from inspection • Any incidents of noncompliance identified OR certification that facility is in compliance with the permit • A statement signed in accordance with Appendix B, Subsection 11	☐ Y	☐ N	N/A
Monitoring (Part 6)			
General			**Notes:**
Does the SWPPP contain a procedure for conducting sector (and co-located) specific benchmark monitoring?	☐ Y	☐ N	N/A - benchmark monitoring is not required for inactive metal mining facilities. Plan must be updated before facility becomes active.
Does the SWPPP contain procedures for conducting effluent limitations guidelines monitoring?	☐ Y	☐ N	N/A
Does the SWPPP contain a procedure for other monitoring (state or tribal specific; impaired waters; other as required)	☐ Y	☐ N	N/A
Are samples analyzed in accordance with 40 CFR Part 136 methods?	☐ Y	☐ N	N/A
Benchmark Monitoring			
Does the monitoring consist of a sample collected: • Within the first 30 minutes of discharge • On discharges that occur at least 72 hours from the previous discharge • Document the date and duration (in hours) of the rainfall event, rainfall total (snow - date only) for that rainfall • Prior to commingling.	☐ Y	☐ N	N/A
Is monitoring conducted during each of the first four full quarterly (calendar) monitoring periods following permit coverage?	☐ Y	☐ N	N/A
Is the average of the first four quarterly samples < the parameter benchmark?	☐ Y	☐ N	N/A

NPDES Industrial Storm Water Checklist (MSGP)

Monitoring			
Is the average of the first four quarterly samples > the parameter benchmark? • Make the necessary modifications • Continue quarterly monitoring • Determine and document that no further pollutant reductions are technologically available and economically practicable and achievable, continue monitoring once per year, notify EPA • Natural background pollutant level documentation	☐ Y	☐ N	N/A
Exceptions, including (see 6.1 & 6.2): • Adverse weather conditions • Climates with irregular storm water runoff • Snowmelt • Substantially identical outfalls (per 5.1.5.2) • Inactive and unstaffed sites.	☐ Y	☐ N	N/A
Effluent Limitations Monitoring			
Sampled once per year?	☐ Y	☐ N	N/A
Follow-up requirements if discharge exceeds effluent limit (see 6.3)?	☐ Y	☐ N	N/A
Other Required Monitoring			
• State or Tribal provisions • Discharges to impaired waters • Additional monitoring required by EPA.	☐ Y	☐ N	N/A
Reporting (Part 7)			
General			**Notes:**
Is monitoring data reported to EPA within 30 days of receiving analytical results for the monitoring period?	☐ Y	☐ N	N/A
Is the annual report submitted by 45 days after conducting the comprehensive site inspection?	☒ Y	☐ N	Last report was dated 1/30/2017 and was submitted on paper due to difficulties with NetDMR registration.
If follow-up effluent limitations monitoring results exceed numeric limits, was a report submitted to EPA no later than 30 days after results were received?	☐ Y	☐ N	N/A

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff	*(e.g., use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away; locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems; clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants; use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible; use spill/overflow protection equipment; drain fluids from equipment and vehicles prior to on-site storage or disposal; perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on and also that capture any overspray; and ensure that all washwater drains to a proper collection system*) Concrete washout for one of the special projects was in an unlined bermed area.
Good Housekeeping	*(e.g., keeping all exposed areas that are potential sources of pollutants clean, using such measures as sweeping at regular intervals, keeping materials orderly and labeled, and storing materials in appropriate containers)* The site was orderly.
Preventative maintenance	*(e.g., regular inspections, testing, maintenance, and repair of all industrial equipment and systems, and control measures, and back-up practices should a runoff event occur while a control measure is off-line)* Main site is inspected quarterly, special projects are inspected weekly.

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Spill Prevention and Response	*(e.g., minimizing the potential for leaks, spills and other releases that may be exposed to storm water and develop plans for effective response to such spills if or when they occur)* Wastewater pipeline/ponds are connected to a SCADA system (not described in SWPPP). All staff receive annual SPCC training.
Erosion and Sediment Controls	*(e.g., stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, flow velocity dissipation devices at discharge locations and within outfall channels)* Mine facility has a system to contain runoff from many areas. No flow velocity dissipation devices or stabilization were designed for the special projects. In general, BMPs seemed minimal and were limited to brush or rock check dams and uncompacted berms. There has been little rain, so there was no evidence of discharges.
Management of Runoff	*(e.g., divert, infiltrate, reuse, contain, or otherwise reduce storm water runoff, to minimize pollutants in discharges)* Mine facility has a system to contain runoff from many areas.
Salt Storage Piles	*(e.g., enclose or cover piles appropriate measures (e.g., good housekeeping, diversions, containment) to minimize exposure resulting from adding to or removing materials from the pile)* N/A

NPDES Industrial Storm Water Checklist (MSGP)

SWPPP Implementation	
Waste, Garbage and Floatable Debris	*(e.g., keep exposed areas free of such materials or by intercepting them before they are discharged)* No waste issues were observed at the time of the inspection. Staff stated the office trash landfill was covered 1x a week and it appeared to be located in a low area that doesn't drain.
Evidence of non-storm water discharges	No non-stormwater discharges were observed at the time of the inspection
Dust Generation and Vehicle Tracking of Industrial Materials	*(minimize generation of dust and off-site tracking of raw, final, or waste materials)* N/A for main facility. Haul road projects use water for dust suppression. There are cobble site entrances.

Appendix A: Close Out Meeting Sign In Sheet

1-19-13

Cobre Close out For SWPPP Inspection

Christian Krueger	FMI
TOM L SHELLEY	FMI
DAVID ANDERSEN	FMI
Devan Williams	FMI
Larry W. Crotts	FMI
Amy Andrews	US EPA
Jennifer Foote	NMED
Sherry Burt-Kested, Manager	Freeport-McMoRan Chino Mines
K. Sokulsky	Freeport-McMoRan Chino Mines

Appendix B: Main SWPP Plan Site Maps and Attachment 7 and 8

Attachment 7

Substantially Identical Outfall Evaluation

Outfall	Location of Outfall	Industrial Activity	Potential Pollutants (Attachment 8)	Best Management Practices (Attachment 9)	Drainage Area (ft^2)	Runoff Coefficient	Substantially Identical Outfall Name (if applicable)	Reason Discharges are Expected to be Substantially Identical
Hanover Creek Basin								
SWHC-1	East of Hanover Mountain and north of SWHC-3	Historic mine workings and exploration drill sites and roads	Sediment, pH	Earthen/rock berms, straw wattle slope protection, rock rip rap splash pads	268,348	Medium	SWHC-3	Industrial activities, significant materials, and stormwater management practices are essentially the same.
SWHC-2	East of Hanover Mountain and south of SWHC-1	Historic mine workings and exploration drill sites and roads	Sediment, pH	Earthen/rock berms, straw wattle slope protection, rock rip rap splash pads	870,000	Medium	--	Industrial activities, significant materials, and stormwater management practices are essentially the same.
SWHC-3	East of Hanover Mountain and north of SWHC-2	Historic mine workings and exploration drill sites and roads	Sediment, pH	Earthen/rock berms, straw wattle slope protection, rock rip rap splash pads	530,000	Medium	SWHC-1	Industrial activities, significant materials, and stormwater management practices are essentially the same.
Grape Gulch Basin								
SWGG-1	West of Hanover Mountain and below the Carpenter Shop	Carpenter laydown area	Sediment, potential petroleum product leackage from infrequent traffic, pH, metals from facilities	Berms, limited use	483,516	Medium	--	Industrial activities, significant materials, and stormwater management practices are not similar to other outfalls
SWGG-2	South of Hanover Mountain and southeast of Grape Gulch Pond #3	Unpaved access roads, maintenance facilities, concentrating facilities (Mill #1), truck and rail load out facility, underground mine and facilities, and the tailing impoundment	Sediment, potential petroleum product leackage from infrequent traffic, pH, metals from facilities	Lined containment ponds, stormwater diversions, berms, seep protections, check dams, good housekeeping, exposure	47,916	Medium	--	Industrial activities, significant materials, and stormwater management practices are similar to other outfalls
Poison Springs Basin								
SWPS-2	North of the East Waste Rock Facility and west of SWPS-3	Main tailing pond, magnetite tailing pond, miscellaneous stockpiles, unpaved access roads, and Mill #2	Sediment, potential petroleum product leackage from infrequent traffic, pH, metals from facilities and stockpiles	Cement containments and sumps, settling basins, berms, seep protections, good housekeeping, and minimizing exposure	74,923	Medium	--	Industrial activities, significant materials, and stormwater management practices are essentially the same.

SWPS-3	North of the East Waste Rock Facility and east of SWPS-2	Main tailing pond, magnetite tailing pond, miscellaneous stockpiles, unpaved access roads, and Mill #2	Sediment, potential petroleum product leackage from infrequent traffic, pH, metals from facilities and stockpiles	Cement containments and sumps, settling basins, berms, seep protections, good housekeeping, and minimizing exposure	265,716	Medium	--	Industrial activities, significant materials, and stormwater management practices are essentially the same.
Buckhorn Gulch Basin								
DAM 2	South of the East WRF	Stockpiles, unpaved access roads	Sediment, potential petroleum product leackage from infrequent traffic, pH, metals from facilities and stockpiles	Cement containment settling basins, berms, seep protections, good housekeeping, and minimizing exposure	1,080,280	Medium	--	Industrial activities, significant materials, and stormwater management practices are essentially the same.

Attachment 8

Potential Pollutants					
Pollutant Source (Material or Activity)	**Potential Pollutant**	**BMP**			
		Type	**Description**	**Preventative Maintenance**	**Backup Procedures**
Hanover Creek Basin					
Historic mine workings and exploration drill sites and roads	Sediment, pH, metals from stockpiles	Erosion and sediement control, reclamation	Earthen/rock berms, straw wattle slope protection, rock rip rap splash pads	Routine site inspections	Onsite heavy equipment for rapid stormwater control
Grape Gulch Basin					
Carpenter shop laydown area	Sediment	Erosion and sediement control	Limited use and berms	Routine site inspections	Onsite heavy equipment for rapid stormwater control
Unpaved access roads, maintenance facilities, concentrating facilities (Mill # 1), truck and rail load out facility, underground mine and facilities and the tailing impoundment	Sediment, potential petroleum product leakage from infrequent vehicle traffic, pH, metals from facilities	Non-structural and structural sediment and erosion control BMPs	Lined containment ponds, stormwater diversions, berms, seep protections, check dams	Routine site inspections	Onsite heavy equipment for rapid stormwater control. Controls in this area also include a series of redundant controls, including ponds and pump-back systems
Buckhorn Gulch Basin					
Unpaved access roads, South WRDF, two onsite only landfills	Sediment, pH, metals	Erosion and sediment control	Earthen berms, concrete dam	Routine site inspections	Onsite heavy equipment for rapid stormwater control and capability to pump to Dam 3

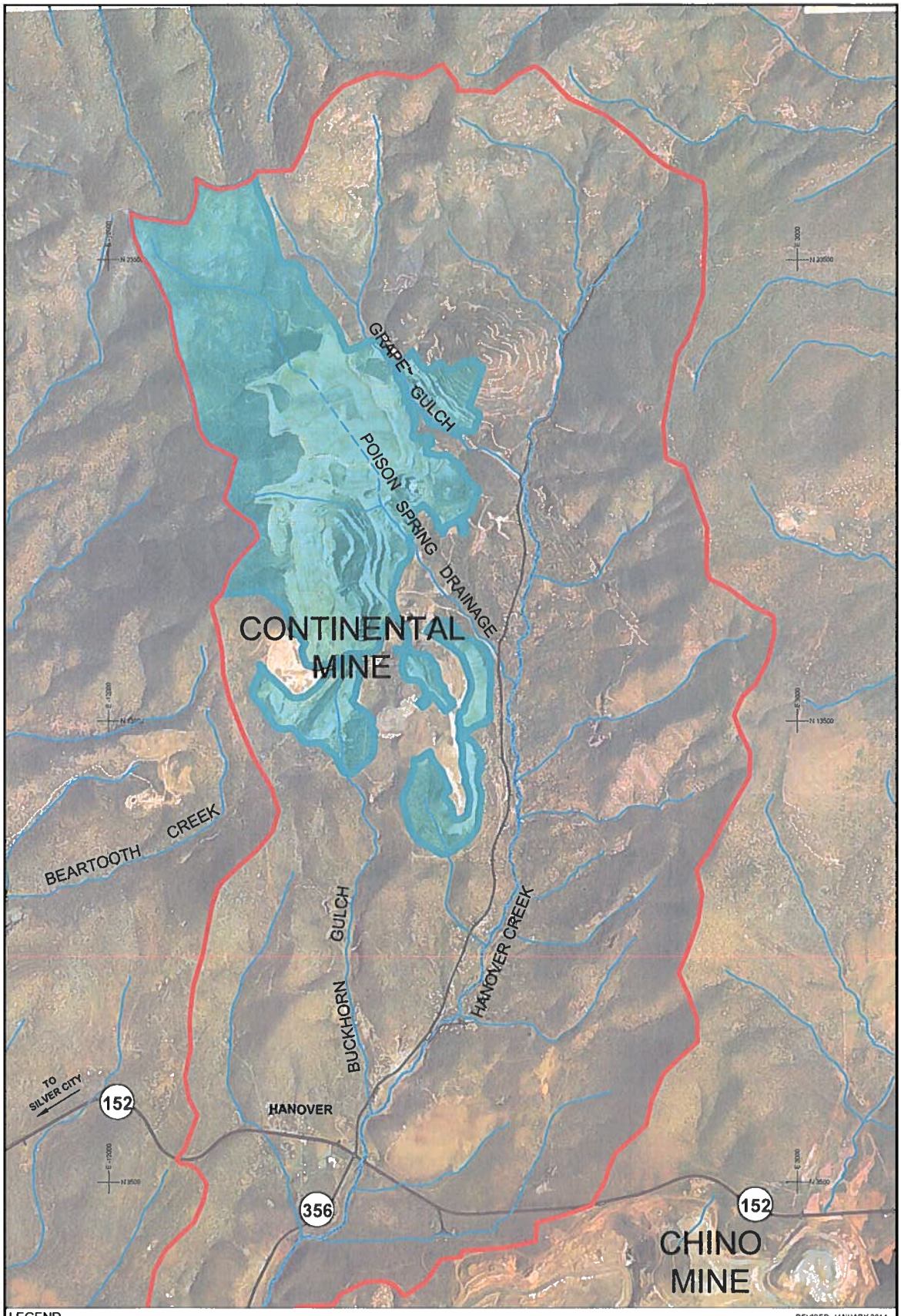
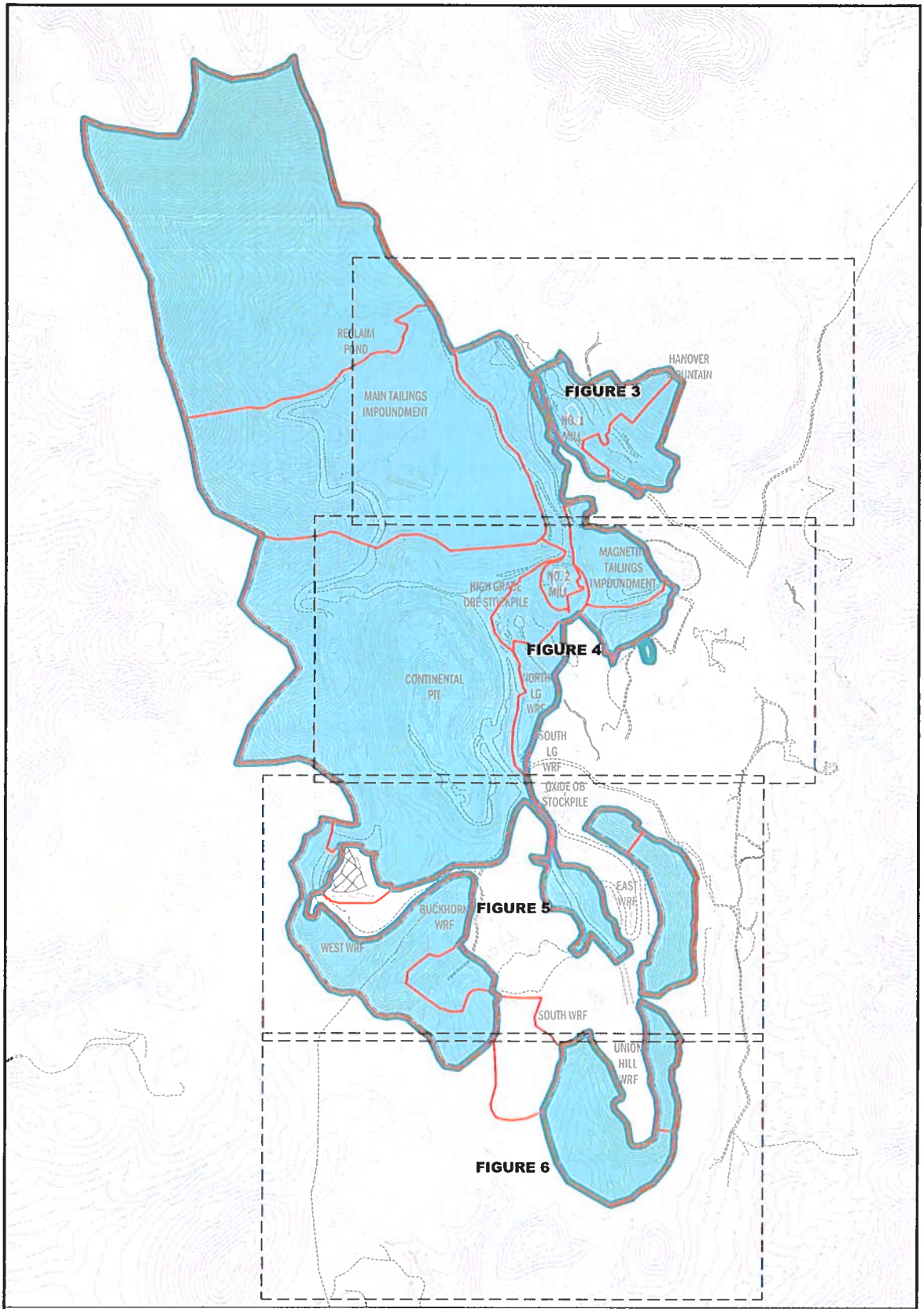


FIGURE 1
GENERAL SITE MAP



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL

REVISED JANUARY 2014

SCALE IN FEET
0 1200

N

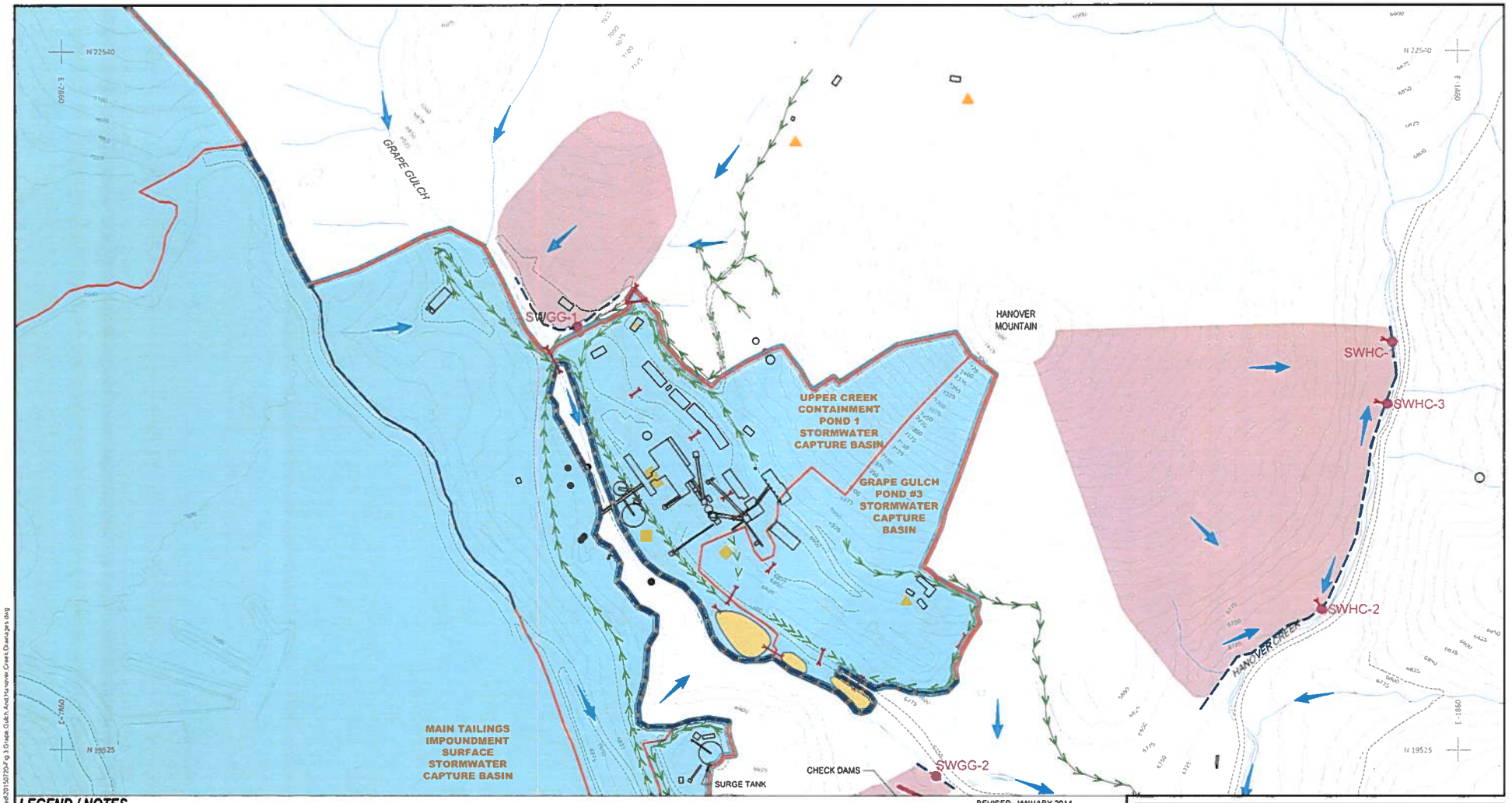
COORDINATES
CHINO LOCAL MINE

PREPARED BY:
TELESTO
SOLUTIONS INCORPORATED
Fort Collins, Colorado (970) 484-7750
www.telestoinc.com

FIGURE 2
FIGURE LAYOUT MAP

PREPARED FOR:
FREEPORT-McMoRan

7/20/2015 R:\Cobre\SWPPP\Calculations\AutoCad\20150720-Fig.2.Layout Map.dwg



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- SWPS-2 STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH

REVISED: JANUARY 2014

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SCALE IN FEET

COORDINATE SYSTEM
CHINO LOCAL MINE

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FIGURE 3
UPPER GRAPE GULCH AND HANOVER CREEK DRAINAGES

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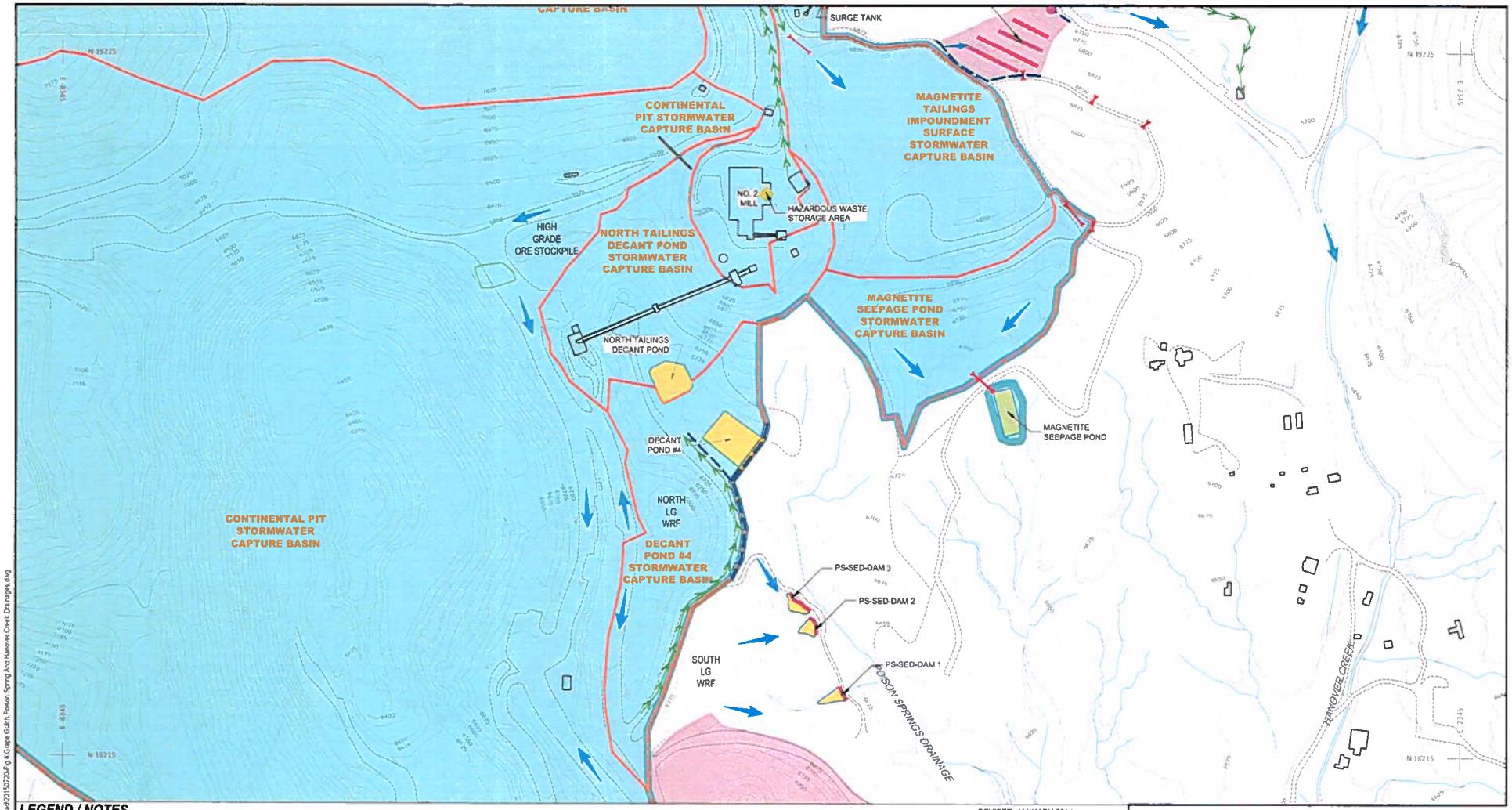
Fort Collins, Colorado (970) 484-7704
www.telesto-inc.com

PREPARED FOR: FREEPORT-McMoRan

7/30/2015 R:\Data\SW\PPPCalculations\AutoCad\20150720-Fig 3 Grape Gulch And Hanover Creek Drainages.dwg



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH

REVISED: JANUARY 2014

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SCALE IN FEET

COORDINATE SYSTEM
CHINO LOCAL MINE

FIGURE 4
LOWER GRAPE GULCH, UPPER POISON SPRING AND HANOVER CREEK DRAINAGES

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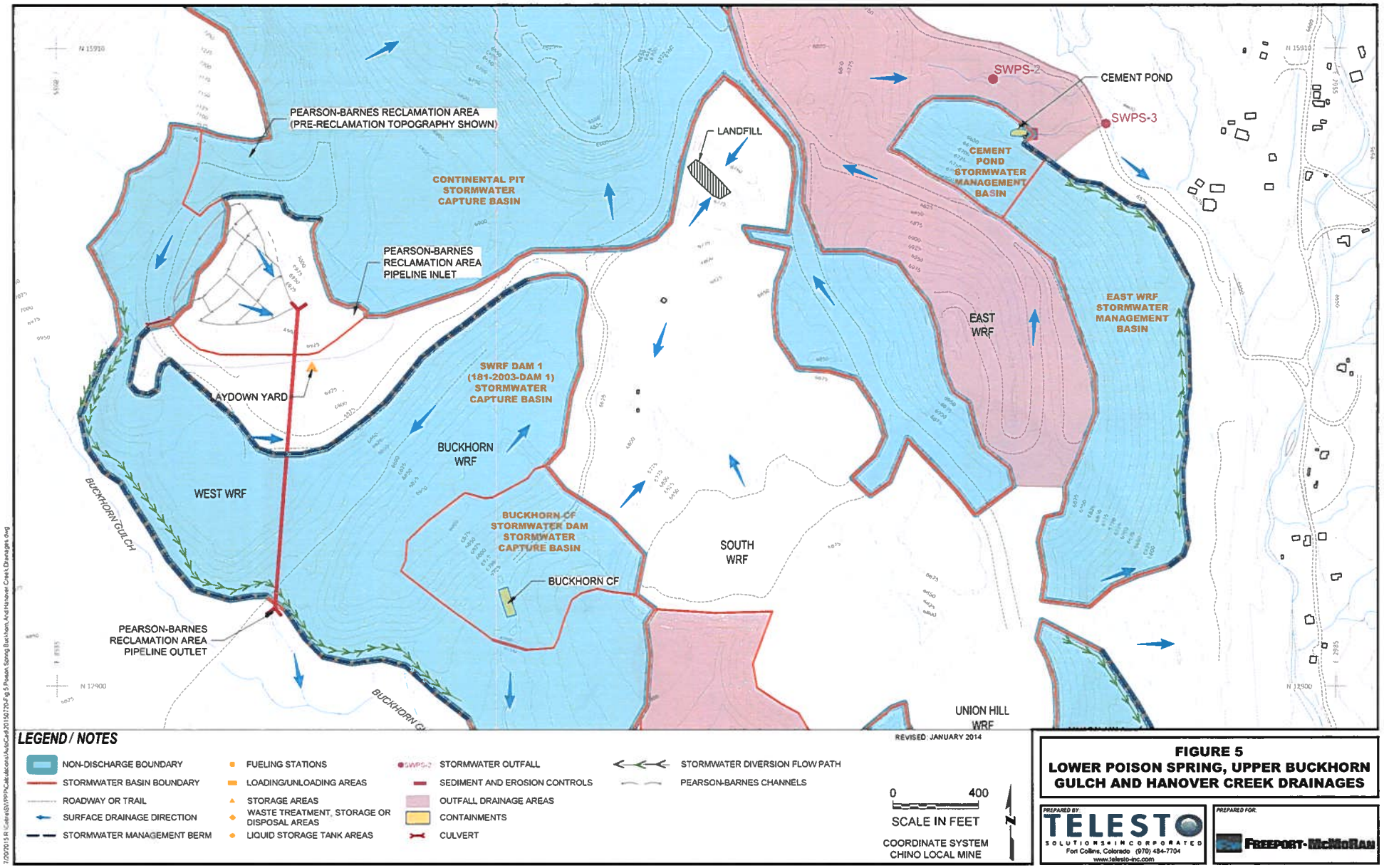
Fort Collins, Colorado (970) 484-7704
www.telesto-inc.com

PREPARED FOR: FREEPORT-McMoRan

7/20/2015 R:\Corres\SWPPC\alculations\AutoCad\20150720\Fig 4 Grape Gulch, Poison Spring And Hanover Creek Drainages.dwg



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- SWPS-2 STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH
- PEARSON-BARNES CHANNELS

REVISED: JANUARY 2014

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SCALE IN FEET

COORDINATE SYSTEM
CHINO LOCAL MINE

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FIGURE 5
LOWER POISON SPRING, UPPER BUCKHORN GULCH AND HANOVER CREEK DRAINAGES

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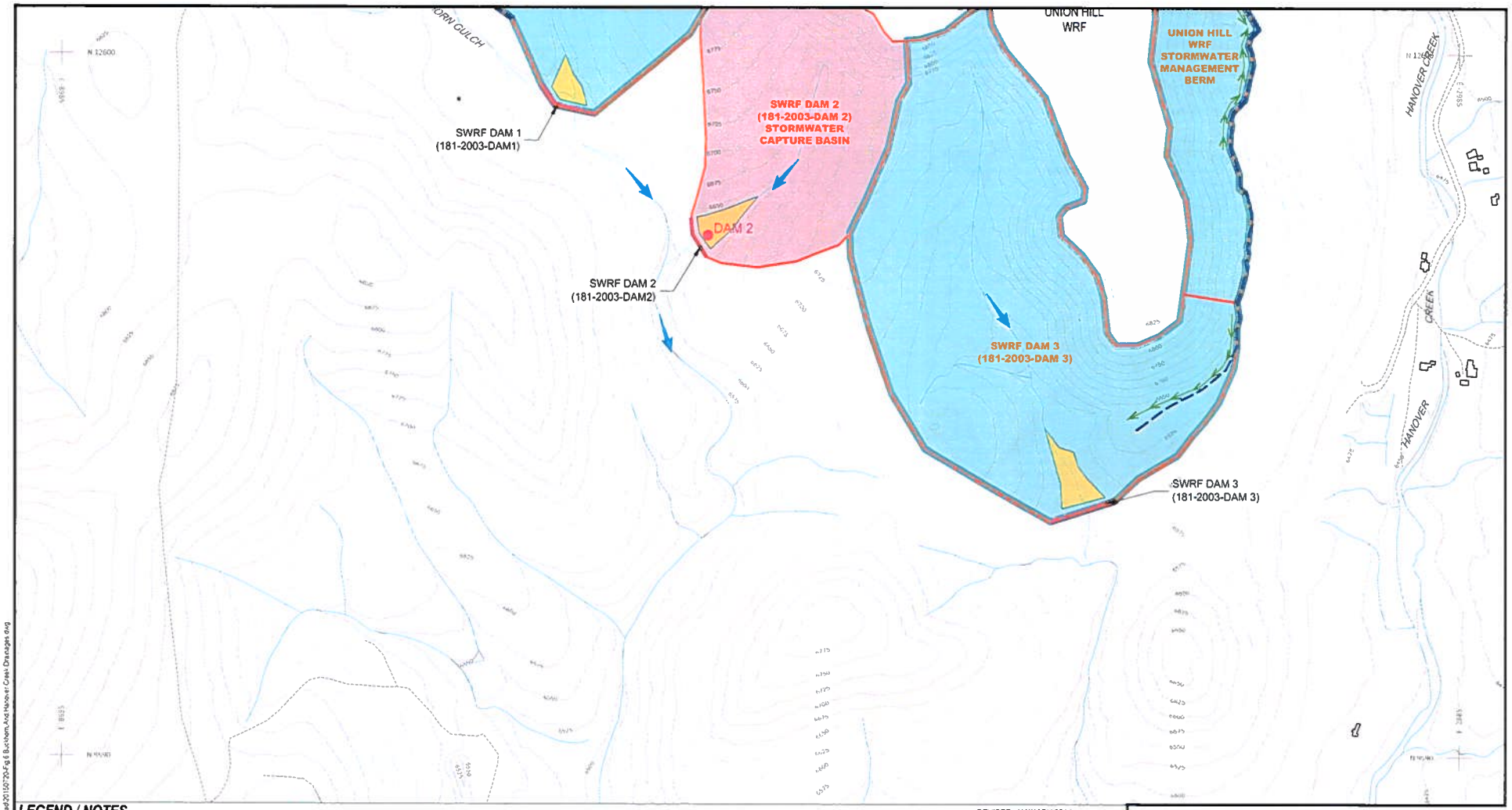
FREEPORT-McMoRan

7/20/2015 R:\Data\SWPPP\Calculations\AutoCad\20150720-Fig 5 Poison Spring Buckhorn, And Hanover Creek Drainages.dwg



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH

REVISED: JANUARY 2014

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SCALE IN FEET

COORDINATE SYSTEM
CHINO LOCAL MINE

N

FIGURE 6
MIDDLE BUCKHORN GULCH AND HANOVER CREEK DRAINAGES

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PREPARED FOR:
FREEPORT-McMoRan

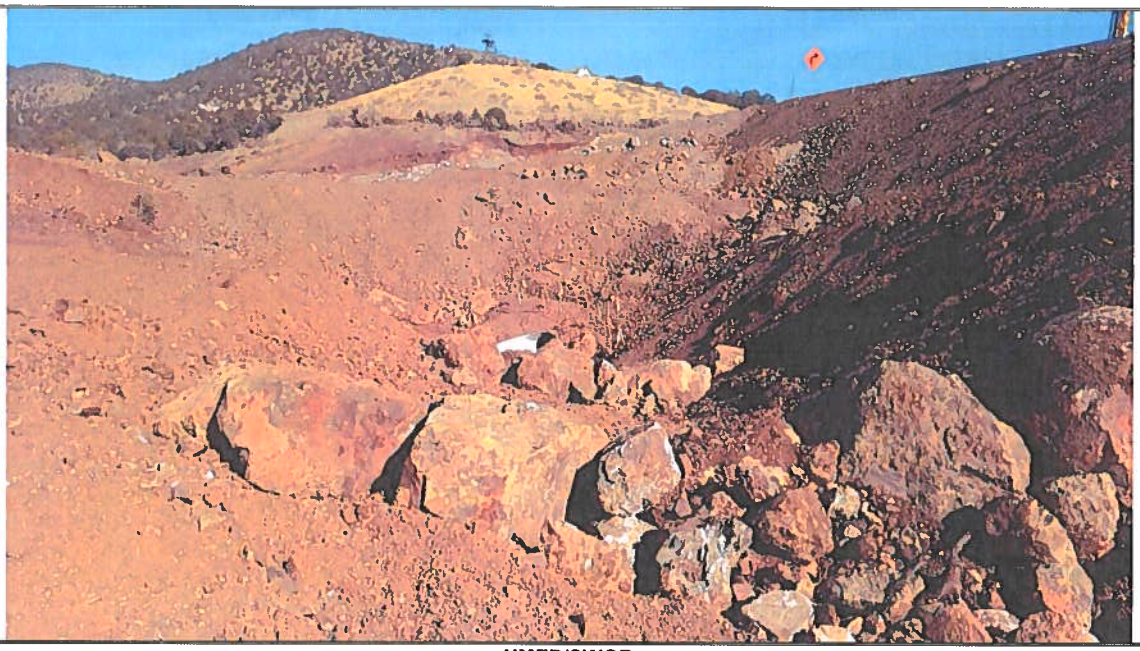
7/30/2015 R:\Cadd\GIS\PPP\Calculations\AutoCad\20150730-Fig 6 Buckhorn And Hanover Creek Drainages.dwg

Appendix C: Photo Log

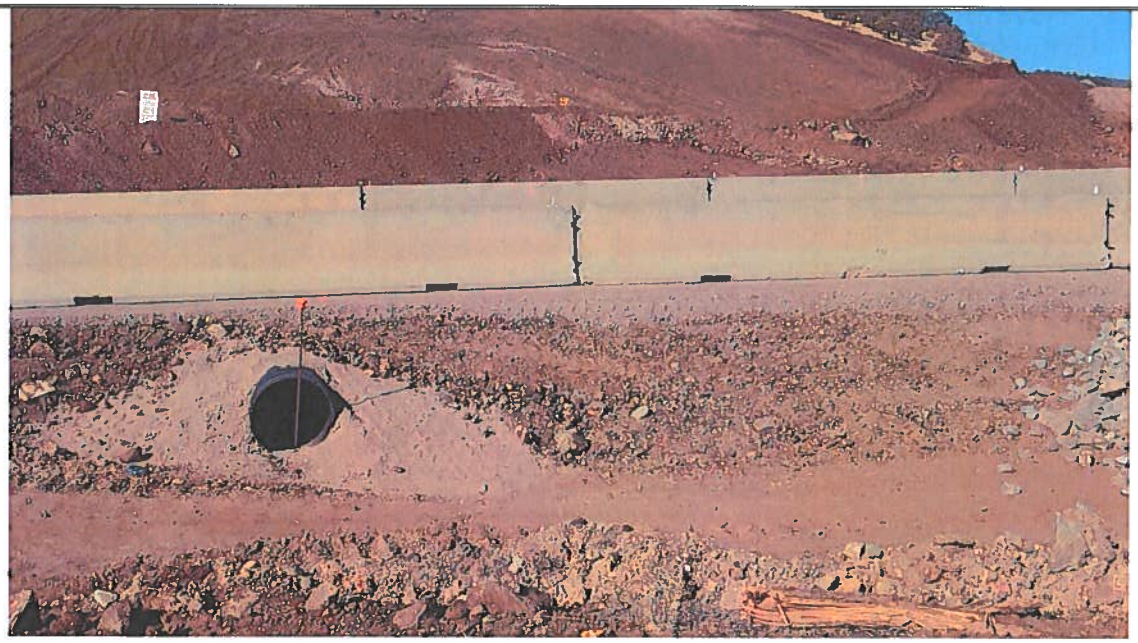
NMED/SWQB Official Photograph Log Photo # 1		
Photographer: Jennifer Foote	Date: 1/19/18	Time: 3:26 pm
City/County: Hanover, Grant Co		State: New Mexico
Location: Cobre Mine		
Subject: outfall location SWGG-2		

NMED/SWQB Official Photograph Log Photo # 2		
Photographer: Jennifer Foote	Date: 1/19/18	Time: 2:15 pm
City/County: Hanover, Grant Co		State: New Mexico
Location: Cobre Mine		
Subject: unlined concrete washout		

NMED/SWQB Official Photograph Log Photo # 3		
Photographer: Jennifer Foote	Date: 1/19/18	Time: 2:01 pm
City/County: Hanover, Grant Co		State: New Mexico
Location: Cobre Mine		
Subject: check dam inlet protection at haul road construction		



NMED/SWQB Official Photograph Log Photo # 4		
Photographer: Jennifer Foote	Date: 1/19/18	Time: 2:12pm
City/County: Hanover, Grant Co		State: New Mexico
Location: Cobre Mine		
Subject: inlet at haul road construction (rock check dam just out of photo on the right)		



NMED/SWQB Official Photograph Log Photo # 5		
Photographer: Jennifer Foote	Date: 1/19/18	Time: 2:54pm
City/County: Hanover, Grant Co		State: New Mexico
Location: Cobre Mine		
Subject: Haul road construction with dirt berm and brush berm		

NMED/SWQB Official Photograph Log Photo # 6		
Photographer: Jennifer Foote	Date: 1/19/18	Time: 4:56 pm
City/County: Hanover, Grant Co		State: New Mexico
Location: Cobre Mine		
Subject: rock check dam downstream of new Hanover Creek arch pipe. Grape Gulch joins from the left of photo		

Attachment: Freeport-McMoRan Chino Mines Company's Response

FREEPORT-McMoRan

Freeport-McMoRan Chino Mines Company
P.O. Box 10
Bayard, NM 88023

Sherry Burt-Kested
Manager, Environmental Services
Telephone: 575-912-5927
Email: sburtkes@fmi.com

March 16, 2018

Certified Mail #70173040000031901510
Return Receipt Requested

Mr. Robert Houston
US EPA, Suite 1200
Enforcement Branch (6EN-WS)
1445 Ross Ave.
Dallas, TX 75202-2733

Certified Mail #70173040000031901527
Return Receipt Request

Ms. Sarah Holcomb
New Mexico Environment Department
Surface Water Quality Bureau
Point Source Regulation Section
P.O. Box 5469
Santa Fe, New Mexico 87502

Dear Mr. Houston and Ms. Holcomb:

Re: Freeport-McMoRan Chino Mines Company
NPDES Stormwater Compliance Inspection;
NPDES #NMR053226; January 18, 2018

Freeport-McMoRan Chino Mines Company (Chino) is in receipt of the NPDES Compliance Inspection Report dated February 16, 2018 for the Cobre (aka Continental Mine) facilities. On January 18, 2018, Ms. Jennifer Foote with the New Mexico Environmental Department's Surface Water Quality Bureau (NMED and SWQB) and Ms. Amy Andrews with USEPA conducted a site visit of the Continental Mine facilities. Several Chino employees accompanied Ms. Foote and Ms. Andrews during the inspection and document review.

The inspection included a field inspection and a document review of the site-wide Continental Mine Stormwater Pollution Prevention Plan (SWPPP) and four Special Project Addendums that are extensions of the Continental Mine SWPPP. The Continental Mine is currently inactive and is subject to the requirements for temporarily inactive mines in Parts 2 through 7 and Parts 8.G.5 through 8.G.7 of the 2015 USEPA NPDES MSGP [MSGP]. Please note that throughout this correspondence [square

brackets] will denote reference to the MSGP and (round brackets) will denote reference to the SWPPP.

The Special Projects reviewed during the inspection are temporary construction projects associated with the restart of the Continental Mine. The major Special Project for restarting mining operations is the construction of an approximately 3.5 mile haul road between the Continental Mine and Chino's leaching and milling facilities. All of these Special Projects at the Continental Mine are for "purposes of mine site preparation" [8.G.3.2(a)] and are not for the "construction of staging areas" [8.G.3.2(b)]. Consequently, these Special Projects are subject to the technology-based effluent limits in [8.G.4.1] and are expressly not subject to the technology-based effluent limits in [8.G.4.2].

Chino appreciates the recommendations and comments provided during the inspection by Ms. Foote and Ms. Andrews. Several of these recommendations have already been or are being implemented for the site-wide Continental Mine SWPPP and Special Project Addendums. However, as explained in more detail below, Chino does not agree with several of the characterizations provided in the inspection report and requests that the report be appropriately revised consistent with this response. Further, Chino employees participated actively in the NMED stormwater inspection and responded immediately to any requests from the NMED inspector for further clarification or information. During the close-out meeting, the NMED inspector did not indicate that any specific violations had been identified and this should be clarified in the report.

Chino further acknowledges that it can improve its Site-wide SWPPP and Special Projects documentation to facilitate more efficient reviews of how the SWPPP meets the regulatory requirements of the 2015 MSGP. Regarding the relationship between the site-wide Continental Mine SWPPP and the four Special Project Addendums, the Compliance Inspection Form on Page 10 states: "*The special project SWPP [sic] plans are not stand alone documents, but their method of addendum to the main plan are also not described.*" Chino generally agrees that the relationship between the site-wide SWPPP and Special Project Addendums can be better described. To this end, Chino has updated the Continental Mine SWPPP to include language that clarifies that relationship. Because construction projects are temporary, not all of the controls and monitoring requirements for temporary inactive mining operations are applicable. As described above, the Special Projects are subject to the requirements for earth disturbing activities conducted prior to active mining activities for mine site preparation [Part 8.G.4.1].

In order to maintain the Special Project Addendums as living, functional documents for operators in the field, the universal MSGP requirements such as operator certification and documentation required under the Historic Preservation Act are maintained in the site-wide Continental Mine SWPPP while the Addendums address project specific training and interim or temporary controls used to minimize impacts to stormwater consistent with the applicable provisions of [8.G.4.1]. This approach to the construction

addendums helps ensure they are easy-to-reference field documents that are used by the construction crews.

The remainder of this letter evaluates each of the Notes marked "N" (for "No") in the "NPDES Industrial Storm Water Checklist" provided with the February 15, 2018 Compliance Inspection Report. Each Note is presented first as stated directly on the Checklist, followed by Chino's response to that Note. After reading through Chino's responses to the Notes, please reconsider the "No" responses on page 1 of the "NPDES Industrial Storm Water Checklist", subheading "Basic SWPPP Information", categories "SWPPP Contents Satisfactory" and "SWPPP Implementation Satisfactory" and change these responses to "Yes".

Note 1, Page 2

General			Notes:
Copy of the NOI and acknowledgement letter from EPA?	Y	N	Plan included filled out submittal form (not dated).

Please find enclosed (Enclosure 1) a copy of the three NOIs submitted for the 2015 MSGP for the Continental Mine and the dated acknowledgment letters from EPA. The Continental Mine SWPPP now contains a copy of these NOIs and acknowledgment letters as Attachment 1 to the SWPPP.

Note 2, Page 2

General			Notes
Does the SWPPP include documentation to support eligibility under the Historic Preservation Act.	Y	N	The plan states "Current discharge-related activities within the Cobre permit boundaries were evaluated for earlier Multi-Sector General Permit SWPPPs and have no potential to impact historic properties. The special projects do not include any information on evaluations for disturbance in those areas. . ."

Based on the following explanation, this entry should have been checked as "yes." The enclosed NOI, dated September 9, 2015, shows that Criterion B was selected under section [1.1.4.6] for historic properties preservation. Criterion B states that Cobre's discharge-related activities (i.e., construction and or installation of stormwater control measures that involve subsurface disturbance) will not affect historic properties. The updated correct NOI is now included in the SWPPP.

As discussed above, the site-wide Continental Mine SWPPP addresses universal MSGP requirements such as documentation required under the Historic Preservation Act, while the Special Project Addendums address project specific training and interim or

temporary controls used to minimize impacts to storm water. For the special projects reviewed during the compliance inspection, Chino adhered to the procedure described on Page 6 of the site-wide Continental Mine SWPPP, by completing detailed cultural resources assessments prior to the construction projects to restart mining at the Continental Mine. These cultural resource assessments were conducted as part of an Environmental Assessment for a Mine Plan of Operations Amendment with the Bureau of Land Management and reviewed by multiple agencies including the State Historic Preservation Office. These assessments are maintained as separate stand-alone documents in order to protect the location of resources that are being avoided or otherwise protected.

Note 3, Page 3

General			Notes
Did all "operators" sign/certify the SWPPP?	Y	N	Main SWPPP certified by John Brack (retired), VPNMOPS General Manager Chino Mines, September 2, 2015. Special Projects updates are not certified as required per Part 5.3 of the permit which states: "SWPPP modifications must be signed and dated in accordance with Appendix B, Subsection 11."

Based on the following explanation, this entry should have been checked as "Yes." Please find enclosed (Enclosure 2) an updated Certification for the Continental Mine SWPPP signed by Chad Fretz, the new President and General Manager for Freeport-McMoRan Chino Mines Company, in accordance with [5.2.7 and Appendix B, Subsection 11]. While we have provided an updated SWPPP Certification, the original certification was valid because it was signed by a responsible officer at the time that the SWPPP was prepared in accordance with [Appendix B, Subsection 11].

Please also note that [Appendix B, Subsection 11.B] only requires certification for changes to a SWPPP to document any correction actions. See also [5.3]. Consequently, operator certification of the Addendums is not required. However, Chino does require the Construction Project Lead to sign the final documentation for each Addendum associated with the restart of the Continental Mine.

Note 4, Page 3

General			Notes
Are the storm water pollution prevention team's responsibilities identified?	Y	N	SWPPP does not provide information on qualifications of SWPPP preparer (Part 5.5.1)

Based on the following explanation, this entry should have been checked as "yes." In accordance with Part [5.2.1], the site-wide Continental Mine SWPPP has properly identified the responsibilities of the stormwater pollution prevention team. See enclosed (Enclosure 3) section (8.2) Pollution Prevention Team. Although Part[5.1] does not require the qualifications of the SWPPP preparer to be identified, the Continental Mine SWPPP was authored by Telesto Solutions Inc. (Telesto) in coordination with Chino's stormwater Pollution Prevention Team and other staff who have several years of experience in mine operations and storm water control.

Note 5, Page 4

General			Notes
Is there a general location map . . . with enough detail to identify the location of the facility and all receiving water for storm water discharges?	Y	N	The location of the facility limits are unclear on the site map for the SWPPP. The watershed and no discharge boundary are indicated. Some locations within the watershed are not part of the facility SWPPP.

Based on the following explanation, this entry should have been checked as "yes." The Continental Mine SWPPP General Location Map (Figure 1 of the SWPPP) and the Site Specific Maps (Figures 2-6 of the SWPPP as of January 18, 2018) have sufficient detail to "identify the location of the facility" and for identifying waters that would receive authorized storm water discharges and their associated areas at the Continental Mine. In addition to the Figures 2-6 of the SWPPP as of January 18, 2018, the Special Project Addendums (at the time of inspection) included site specific maps as appropriate. Because Chino anticipates completion of construction of the projects described in the Special Project Addendums and the return of the Continental Mine to active mining status during the summer of 2018, Chino has updated the General Location and Site Specific Maps (Enclosure 4), now Figures 1 through 5 only, to include the Continental Mine Haul Road and other features currently being constructed.

Note 6, Page 4

General			Notes
Does the site map contain the size of the property in acres?	Y	N	

In the Notes on Page 10 of the Compliance Inspection Report, the SWQB comments that the industrial activity is 83 acres in the NOI but references the New Mexico Mining and Minerals Division permit area is 13,000 acres. Chino notes that different regulatory programs cover different areas. Chino has updated Figure 1 to include total acreage covered by the SWPPP.

Note 7, Page 4

General			Notes
Does the site map contain the location and extent of significant structures and impervious surfaces?	Y	N	Buildings are shown, carpenter shop is not labeled. There is no indication if areas are paved or not.

Based on the following explanation, this entry should have been checked as "yes." Chino notes that the site-wide Continental Mine SWPPP General Location and Site Maps clearly indicate a "Non-Discharge Boundary" wherein waters from this area are fully captured and managed on-site. Thus, the need to identify each and every building and impervious surface is unnecessary. The Figures do include the location and extent of significant structures. Examples include but are not limited to the Tailings Impoundments, Surge Tank and the Continental Pit. Nonetheless, Figure 3 has been updated to include the Carpenter Shop as an existing structure. Once Chino has completed all construction and demolition activities required to resume mining operations, the Figures will be updated again accordingly.

Note 8, Page 4

General			Notes
Does the site map contain locations of all existing structural control measures?	Y	N	Structural control measures are only described in general terms, not specific locations, and may be missing recently added features.

Based on the previous and the following explanation, this entry should have been checked as "yes." Again, Chino notes that the site-wide Continental Mine SWPPP reviewed during the Compliance Inspection was for temporarily inactive conditions and the Site Map Figures have sufficient detail for identifying and locating structural controls in the field. As discussed above, Figures 1-5 have been updated to identify recently added features (e.g., the Carpenter Shop and Cobre Haul Roads). Once Chino has completed all construction and demolition activities required to resume mining operations at the Continental Mine, the Figures will be updated again accordingly.

Note 9, Page 4

General			Notes
Does the site map contain locations of all storm water conveyances including ditches, pipes, and swales?	Y	N	Map is not detailed enough to show locations of berms and swales, it only shows general flow direction. Location of process water pipeline (potentially contaminated stormwater and seep water) not shown.

Based on the following explanation, this entry should have been checked as "yes." Chino notes that the Site Maps as of January 18, 2018 do indicate general flow directions and, as discussed in Note 7 above, there are clearly identified "Non-Discharge

Boundary" lines that address the intent of this requirement. The areas within the Non-Discharge Boundaries include berms, swales, containments and pump back structures that are maintained by operational staff to ensure no discharge beyond the boundary. Nonetheless, Chino has updated its Site Map Figures for the Continental Mine to contain some of the additional details that are provided in (Attachment 15) of the Continental Mine SWPPP. (Attachment 15) contains pictures, locations and engineering specifications of the Continental Mine storm water conveyance system. Also see the revised Attachment 8 (Enclosure 5) for listed control measures.

Note 10, Page 4

General			Notes
Does the site map contain locations of all potential pollutants and significant materials identified under Part 5.1.3.2?	Y	N	The plan does not identify specific potential pollutants and materials on site but states that "These requirements are listed in the MSGP but may not necessarily be applicable or existing currently at this site". Site map includes location of storage areas on the north side of Hanover Mountain, but staff said they had been removed.

Based on the following explanation and the need to consider the SWPPP and site map in context, this entry should have been checked as "yes". Part [5.2.2] requires that a Site Map show locations of potential pollutant sources identified [5.2.3.2]. This list of pollutants is associated with identified activities which could be exposed to rainfall or snowmelt that could be discharged from facility. The Continental Mine SWPPP clearly identifies a list of potential pollutants associated with activities in (Attachment 5). These potential pollutants are linked to the Site Maps via the identified storm water outfalls. Once Chino has resumed mining operations at the Continental Mine, the Figures will be updated again accordingly.

Note 11, Page 4

General			Notes
Does the site map contain locations where significant spills or leaks identified under Part 5.1.3.3 have occurred?	Y	N	Location of Poison Springs spill is not on the site map.

Chino has modified the Site Map Figures to list the location of the Poison Springs spill that occurred on August 19, 2014.

Note 12, Page 5

General			Notes
Does the site map contain locations of storm water inlets and outfalls, with a	Y	N	Only identifies monitored locations. No explanation of why areas like the north side of Hanover Mountain are not monitored or are

unique identifier (e.g., 001. . .) for each outfall and if substantially identical.			substantially identical. Attachment 7 to the plan seems to indicate most discharges are essentially the same, but only lists two outfalls as substantially identical, both outfalls are monitored. The permit information available on ICIS lists 10 outfalls: BG1, BG2, Dam 2, GG01, HC01, HC02, HC03, PS02, PS03. The SWPPP and maps identify 8 outfalls: SWHC-1, SWHC-2, SWHC-3, SWGG-1, SWGG-2, SWPS-2, SWPS-3, and Dam 2.

Chino has updated (Attachment 7), enclosed (Enclosure 6). The industrial activity captured by stormwater outfalls SWHC-1, SWHC-2 and SWHC-3 includes reclaimed historical mine workings. The reason there are no outfalls to the north of Hanover Mountain is because there are no historical mine workings located there. (Table 7), the Figures and the SWPPP text have all been updated to include storm water outfalls SWBG-1 and SWBG-2.

Note 13, Page 5

Site Description			Notes
Does the site map contain locations and descriptions of all non-stormwater discharges?	Y	N	Map does not describe non-stormwater discharge.

Based on the following explanation, this entry should have been noted as "NA." While this was a requirement in the 2008 MSGP for site maps, this requirement was removed from Part [5.2.2] of the 2015 MSGP and is therefore no longer a required component of SWPPP site maps. Upon resumption of mining operations, Chino will routinely utilize potable and/or uncontaminated groundwater for dust suppression on the main Cobre Haul Road and the area around the main Cobre Security gate. Potable and uncontaminated groundwater are listed as allowable non-stormwater discharges under the MSGP. Accordingly, upon return to mining operations, the site-wide Continental Mine SWPPP will be updated to describe these allowable discharges. However, the locations are not required to be identified on the map.

Note 14, Page 5

Site Description			Notes
Does the site map contain locations of the following activities where these activities are exposed to precipitation? • Fueling stations • Vehicle and equipment maintenance and/or cleaning areas	Y	N	Potential Pollutant table (See Appendix B of this report) includes potential pollutant sources (such as Grape Gulch basin Mill #1, and truch and rail load facility) which are not labled on the SWPPP site map. New explosives storage area south of landfill has not been added to the map.

• Loading/unloading areas • Locations used for the treatment, storage or disposal of wastes • Liquid storage tanks • Processing and storage areas • Immediate access roads and rail lines. . . • Transfer areas for substances in buld • Machinery			Site maps for Special Projects do not show porta potty locations (storage of waste).

Based on the following explanation, this entry should have been checked as "yes." The Site Map Figures do contain locations of these type of activities as appropriate. While the inspection identified some activities that were not on the Site Map Figures, this is simply consistent with ongoing SWPPP maintenance and improvement. Chino will add the identified activities to the Site Map Figures as appropriate.

Note 15, Page 5

Site Description			Notes
Does the SWPPP document areas at the facility where industrial materials or activities are exposed to storm water and from which allowable non-storm water discharges are released?	Y	N	The SWPPP Part 3.4 . . .states "During the 2013 evaluation, an additional outfall (Dam 2) was identified. Documentation of the outfall evaluation is provided in Attachment 7 of this SWPPP." Attachment 7 is the Substantially Identical Outfall Evaluation and does not include allowable non storm water discharges in the descriptions.

Based on the following explanation, this entry should have been checked as "yes." The Continental Mine SWPPP substantially complies with this requirement. Dam 2 is a stormwater containment that captures and can release stormwater from the southern portion of the mine which, as a temporary inactive mine, currently contains only inert materials. Dam 2 has not discharged during the entire permit coverage under MSGP-2015. Upon resumption of mining operations, Dam 2 will no longer be managed as a stormwater outfall.

Note 16, Page 6

Site Description			Notes
Does the SWPPP include a non-storm water discharge evaluation in the SWPPP?	Y	N	Part 3.4 Unauthorized Non-stormwater Discharges Documentation states "During the 2013 evaluation, an additional outfall (Dam 2) was identified. Documentation of the outfall evaluation is provided in Attachment 7". However, Attachment 7 is the Substantially Identical Outfall Evaluation and does not

			mention what non-storm water may have been noted or its source location. It does mention seep protections, but not what seeps were observed and if they contained contaminates.

See Note 15 above. Dam 2 is not and will not be managed to allow non-storm water discharges. Water from all seeps at Cobre are captured and managed on-site pursuant to the New Mexico Environment Department's Groundwater Discharge permits issued for the Continental Mine facilities. Evaluation of risks for non-stormwater discharges can be found in Attachments 14 and 15 of the SWPPP.

Note 17, Page 6

Site Description			Notes
Does salt storage occur at this facility?	Y	N	Plan states salt is not stored within areas covered by the SWPPP.

Salt storage not applicable, as the Report correctly notes on Page 16.

Note 18, Page 6

Site Description			Notes
Does the SWPPP include a summary of storm water sampling data for the previous permit term?	Y	N	All the DMRs are included, however there is no summary of the collected sampling data to support identification of potential pollution sources at the facility.

Based on the following explanation, this entry should have been noted as "NA." As a temporarily inactive mining site, the Continental Mine is not subject to analytical monitoring and therefore no stormwater sampling would have been required during the previous permit term. In addition, the DMRs that were included in (Attachment 11) of the Continental Mine SWPPP contained data from October 1, 2001 through December 31, 2002 and do not represent sampling data collected at the facility during the previous permit term.

Note 19, Page 7

Site Description			Notes
Does the SWPPP include documentation of the location and type of control measures at the facility to comply with the requirements in Part 2?	Y	N	No specific locations, only described in Appendix 8.

Based on the following explanation, this entry should have been checked as "yes." The Continental Mine SWPPP and the Site Specific Maps (Figures 2-6 of the SWPPP as of January 18, 2018) have sufficient detail for documentation of the location and type of

control measures at the facility to comply with requirements in [Part 2]. (Attachment 8) and the Figures have been updated to better describe the pollutant sources, the type, and the descriptions of the best management practices (BMPs) used onsite.

Note 20, Page 7

Site Description			Notes
Does the SWPPP include documentation that selection and design of control measures were based on a consideration of the practices and procedures in Part 2.1.1?	Y	N	No documentation of selection and design of control measures is included in the plan.

Based on the following explanation, this entry should have been checked as "yes." Section (4.0) documents selection and design of control measures that were considered and they are based on section [2.1.1]. Also, see (Attachment 15), "Construction Completion Report Water Management System Upgrades". This report documents upgrades to better maintain the non-discharge boundary.

Note 21, Page 9

Site Description			Notes
Does the SWPPP document erosion and sediment controls?	Y	N	The Special Projects SWPPP did not document selection of controls, it only listed a menu of BMPs that could be used and documenting locations post installation as inspections determined they were needed. Part 8.G.4.2.1 states you must account for the factors when designing erosion and sediment controls. The SWPPP did not include information on buffers as required in 8.G.4.2.3.

Based on the following discussion, this entry should have been checked as "yes." As noted above, Parts [8.G.4.2.1 and 8.G.4.2.3] do not apply to the Special Projects addendum for construction of the Cobre Haul Road. Also see the last comment, Note 30, of this letter.

Note 22, Page 9

Site Description			Notes
Does the facility stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, and the resulting discharge of pollutants?	Y	N	The SWPPP did not document stabilization requirements per 8.G.4.2.11 for the special projects. No minimization of area of disturbance was documented.

Based on the following explanation, this entry should have been checked as "yes." Part [8.G.4.2.11] does not apply to the Cobre Haul Road Special Project[1]. [2]Also note that during construction of the Cobre Haul Road, Chino has taken great effort to minimize areas of disturbance with the use of both structural and non-structural BMPs. The structural BMPs include the use of rock check dams, dirt dams, brush berms, earthen berms and designated equipment staging areas. Administrative BMPs include the use of a Daily Compliance Checklist which is filled out by the project leads. See enclosed a blank example of a Daily Compliance Checklist (Enclosure 7).

Note 23, Page 9

Site Description			Notes
Does the facility place flow velocity dissipation devices at discharge locations and within outfall channels where necessary to reduce erosion and/or settle out pollutants?	Y	N	No documentation of how "necessary" is determined. There were no plans for stabilization of culvert outlets at the haul road construction.

Based on the following explanation, this entry should have been checked as "yes." The Compliance Inspection Report incorrectly concluded that there are no plans for the stabilization of culvert outlets for the haul road. The engineering designs for the haul road include the installation of riprap on the downstream side of the culverts to withstand velocities in excess of five feet per second. These engineered designs are separate stand-alone documents and do not belong in either the site-wide SWPPP or the Special Project addendum for the haul road. The haul road Special Projects addendum addresses interim BMPs appropriate for a construction project. Upon completion of construction of the haul road, the Continental Mine site-wide SWPPP will be updated to document the final location of the culverts and associated BMPs for the culverts.

Note 24, Page 9

Site Description			Notes
Does training cover both the specific control measures used to achieve the effluent limits in Part 2 and monitoring, inspection, planning, reporting, and documentation requirements in other parts of the permit?	Y	N	Training does not include reporting and documentation requirements.

Based on the following discussion, this entry should have been checked as "yes." Although the Continental Mine SWPPP referenced outdated MSGP-2008 training, the SWPPP has since been updated to include the following documentation. "The Continental Mine storm water pollution prevention program employee training requirement was fulfilled under Chino's annual MSHA 8 Hour Refresher. This mandatory training was conducted for all employees during the month of February. Employee attendance records for MSHA refresher are maintained with Chino's Health

and Safety Department. The Power Point presentation for specific year can be found within (Attachment 13). Electronic versions can be found on Environmental Service's Environment Management System (EMS) internal home page. The MSHA employee training informed Chino personnel of the components and goals of the SWPPP. The following bulleted items were discussed:

- SWPPP- A reiterative process of inspecting, sampling, reporting, corrective actions and documentation
- Understanding sources of pollutants within work areas
- Housekeeping and source control measures
- Preventative maintenance
- Spill prevention, response and reporting

Additional training and documentation for the Stormwater Pollution Prevention Team and for specific workgroups can also be found within (Attachment 13).

Note 25, Page 11

Site Description			Notes
Are inspections documented, including: • Date and time • Name and signature of inspector • Weather information and a description of discharge occurring at the time of the inspection • Previously unidentified discharges from site • Control measures needing maintenance or repairs • Failed control measures that need replacement • Incidents of noncompliance observed • Additional control measures needed.	Y	N	No time, only date on inspection form. Inspection form does not include information on if a discharge has or is occurring. Only "if they appear to be discharging excessive pollutant loads." At least once each calendar year, the routine inspection must be conducted during a period when a stormwater discharge is occurring. Routine BMP Inspections for 2017 were reviewed, it appeared none occurred while a discharge occurred and no documentation of why this was not possible was included. Inspection form does not include information on if industrial equipment, drums, tanks and other containers are inspected for leaks or spills. Form does not include information on if any incidents of noncompliance were observed. Form does not include specifics on where BMP maintenance was completed or where future maintenance is needed

Chino has revised its Routine BMP Inspection Form with all of the inspectionrecommendations. Please see enclosed the revised Routine BMP Inspection Form (Enclosure 8). This Form now includes the following information/questions:

- Time of inspection
- Are discharges occurring? If **Yes**, describe below in **Comments** the nature and extent of discharge. Per section [3.1] At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring.
- Are there any leaks or spills from industrial equipment, drums, tanks and other containers?
- Are there any incidents of non-compliance?
- Do any control measures need maintenance, repair or replacement?

In regard to the note stating, "Form does not include specifics on where BMP maintenance was completed or where future maintenance is needed" Chino believes the last bulleted item, "Do any control measures need maintenance, repair or replacement?' satisfies this finding. The control measures (BMPs) are identified on this inspection form, are described in sections (3 and 4) of the SWPPP and are identified on the Figures.

Note 26, Page 11

Site Description			Notes
Does the assessment consist of a sample collected: • Within the first 30 minutes of discharge • On discharges that occur at least 72 hours (3 days) from the previous discharge • Collected in a clean, clear glass or plastic container.	Y	N	Samples are examined several days after the sample is collected from the autosampler.

Based on the following explanation, this entry should have been checked as "yes." The auto samplers used at the Continental Mine collect a storm event's first flush. This "first flush" is representative of the storm water discharge regardless of when the sample is examined.

Note 27, Page 12

Site Description			Notes
Are assessments documented, including: • Sample location • Sample collection date/time & visual assessment date/time • Personnel collecting sample & performing assessment and their signature • Nature of the discharge (runoff or snowmelt)	Y	N	No information on where rain gage is. Forms do not indicate that samples are collected within 30 minutes of discharge beginning. Samples are examined several days after the sample is collected from the autosampler.

• Results of observations (including color, odor, clarity, floating solids, settled solids, suspended solids, foam, oil sheen and other obvious indicators) • Probable sources of contamination • If applicable, reason for not taking samples within 1st 30 minutes.			

Chino has updated its Quarterly Visual Assessment Form (Enclosure 9) to indicate whether samples are collected within the first 30 minutes of discharge. Chino has also updated its Figures to include the locations of weather stations used to approximate stormwater discharges through its outfalls. Samples examined several days after they are collected from the auto sampler are representative samples.

Note 28, Page 12

Site Description			Notes
Exceptions, including (see 4.2.3): • Adverse weather conditions • Climates with irregular storm water runoff • Areas subject to snow • Substantially identical outfalls (per 5.1.5.2) • Inactive and unstaffed sites.	Y	N	Exceptions are not documented. Also, the dam 2 outfall is sampled even when a discharge does not normally occur. There is no documentation of which storm events sampled actually discharged.

Exceptions cited in [3.2.3] can now be noted on the updated Quarterly Visual Assessment Form. Dam 2 has not discharged during the entire permit coverage under MSGP-2015 but has been sampled for other reasons.

Note 29, Page 15

SWPPP Implementation			
Measures to minimize the exposure of manufacturing, processing, and material storage areas (including loading and unloading, storage, disposal, cleaning, maintenance, and fueling operations) to rain, snow, snowmelt, and runoff			*(e.g., use grading, berming, or curbing to prevent runoff of contaminated flows and divert run-on away; locate materials, equipment, and activities so that leaks are contained in existing containment and diversion systems; clean up spills and leaks promptly using dry methods (e.g., absorbents) to prevent the discharge of pollutants; use drip pans and absorbents under or around leaky vehicles and equipment or store indoors where feasible; use spill/overflow protection equipment; drain fluids from equipment and vehicles prior to on-site storage or disposal; perform all cleaning operations indoors, under cover, or in bermed areas that prevent runoff and run-on*

			and also that capture any overspray; and ensure that all washwater drains to a proper collection system) Concrete washout for one of the special projects was in an unlined bermed area.

Although [8.G.4.2.10] prohibits discharges of wastewater washout of concrete, no discharges were taking place during the inspection. The entire construction site, located on Highway 152, was set up to be zero discharging. Zero discharge is maintained through the use of earthen berms, waddels, and culvert directing highway runoff to the north. Additional BMPs located on the north side of Highway 152 include a series of rock check dams.

Note 30, Page 16

SWPPP Implementation			
Erosion and Sediment Controls			*(e.g., stabilize exposed areas and contain runoff using structural and/or non-structural control measures to minimize onsite erosion and sedimentation, flow velocity dissipation devices at discharge locations and within outfall channels)* Mine facility has a system to contain runoff from many areas. No flow velocity dissipation devices or stabilization were designed for the special projects. In general, BMPs seemed minimal and were limited to brush or rock check dams and uncompacted berms. There has been little rain, so there was no evidence of discharges.

See Notes 21 and 22 above. Based on the discussion in Notes 21 and 22 above, the observation that the BMPs for the Special Projects are minimal is incorrect. The Cobre Haul Road, which cover approximately 100 aces, includes a detailed figure titled "Storm Water Pollution Prevention Plan Cobre Haul Road, which is regularly updated, indicating the BMPs and their location along the Cobre Haul Road. The initial figure dated 9/5/2017 identified 29 BMPs. As construction has progressed on the haul road, BMPs have been added to the updated figures and include check dams, brush berms and earthen berms at staging areas. The amount of actual soil on the haul road is minimal as the area also contains a substantial amount of exposed or near-surface bedrock. In addition to the figure included in the Haul Road Special Projects addendum, all of the Special Projects addenda document the selection of erosion and sediment controls in the in the weekly inspection forms for each Project.

We appreciate the opportunity to submit this information in response to your compliance evaluation inspection. Please contact me at (575) 912-5927 or Mr. Christian Krueger at (575) 912-5349 if you have any questions.

Sincerely,

Sherry Burt-Kested, Manager
Environmental Services

SBK:ck
20180316-003
Enclosures (9)

SWPPP CERTIFICATION (5.2.7)

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: Chad D. Fretz

Title: President and General Manager of Chino Acquisition LLC. and Freeport-McMoRan Chino Inc., General Partners Chino Mines Company

Signature: Chad D Fretz

Date: 2/26/18

8.0 ADMINISTRATIVE

8.1 Training (2.1.2.8, 8.G.5.1)

The Continental Mine Facilities is a temporarily inactive site and, employee training is conducted at least annually.

The site has identified and trained a Stormwater Pollution Prevention Plan Team as detailed in the section immediately below.

8.2 Stormwater Pollution Prevention Team (5.2.1)

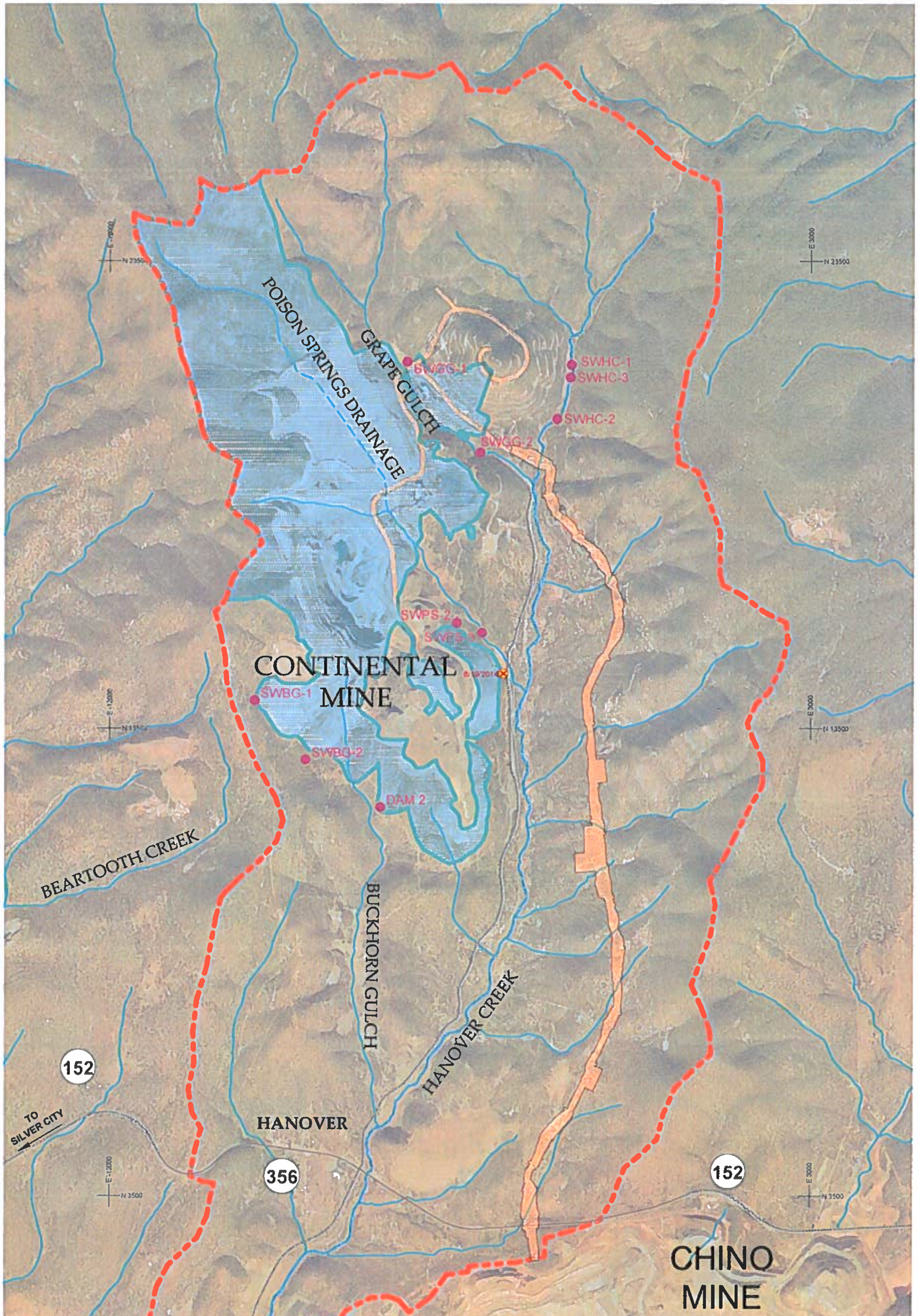
The site has identified and trained a Stormwater Pollution Prevention Team that is responsible for effective implementation of the SWPPP. Components of the preventive maintenance and inspection program are supervised and/or carried out by the team. Members and their assigned tasks and responsibilities are specifically identified in Table 2, below:

Table 2 – Stormwater Pollution Prevention Team

Staff Names	Individual Responsibilities
Manager Environmental: Sherry Burt-Kested	Oversee implementation of the stormwater program
Data Preparer: Devan Williams/ Christian Krueger	Prepare and submit data for the annual reports, maintain SWPPP document and updates to text/figures
Facility Inspector: Devan Williams/ Larry Crotts/ Shane Medley/ Tyler Solem	Perform inspections and assist in implementation of the SW program including maintaining control measures and taking corrective actions
Records-keeper: Devan Williams/ Larry Crotts	Maintain all inspection records and plan updates
Author: Telesto Solutions Inc	Original SWPP author
Trainer: Devan Williams	Perform SWPPP training

8.3 Documentation to Support Eligibility Consideration Under Other Federal Laws (5.2.4)

See Attachment 4 of this SWPPP for documentation regarding endangered species and historic properties for this site.



LEGEND

- Hanover Creek Watershed Basin Boundary
- Creeks
- Major Roadways
- Haul Road
- Non-Discharge Boundary
- Storm Water Outfall
- Date Spill Location

SCALE IN FEET

0 2000

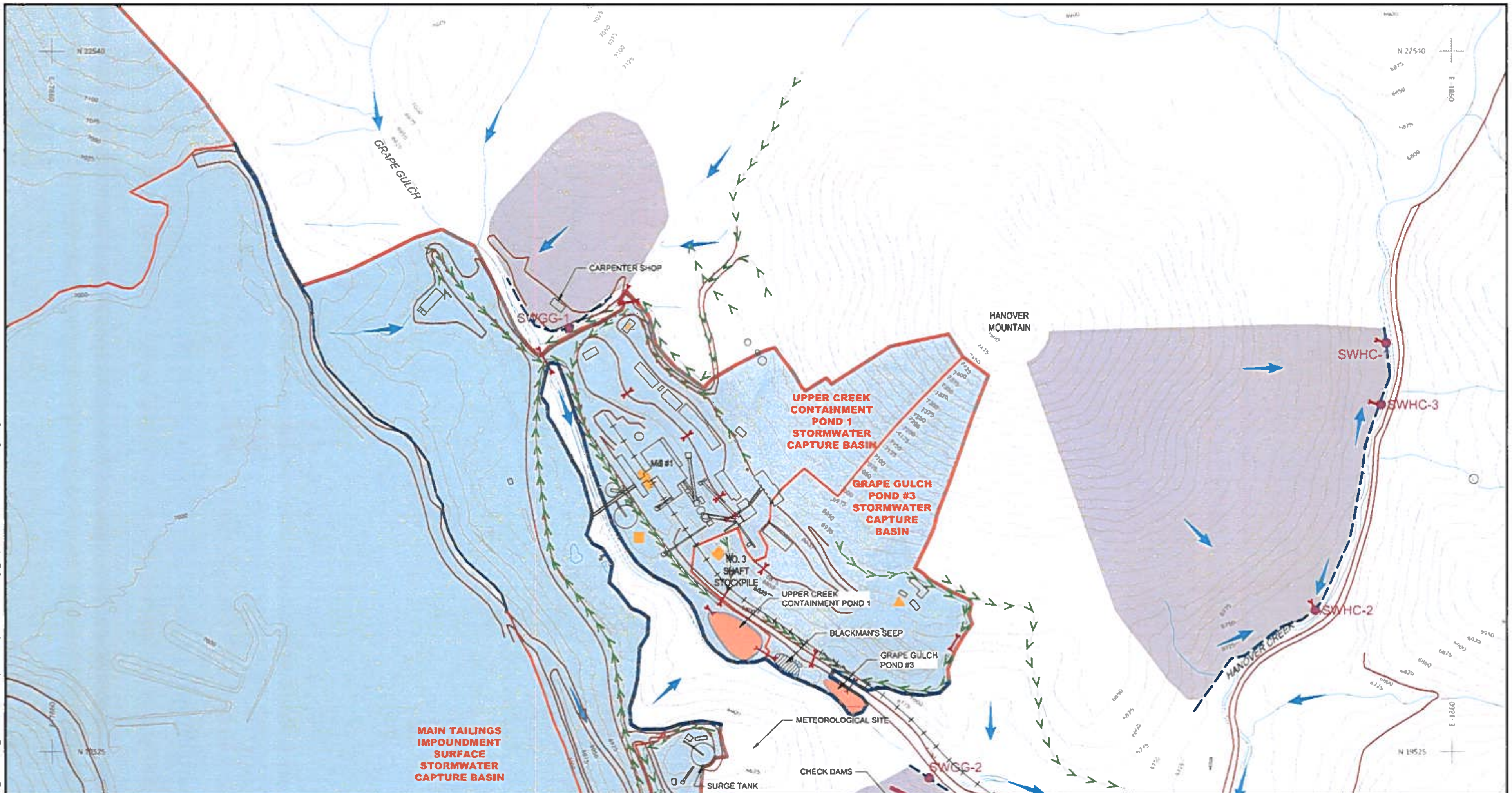
FREEPORT-McMoRAN

CHINO MINES COMPANY

FIGURE 1

COBRE MINE FACILITY GENERAL SITE MAP

Scale: As Noted	Date: 2-27-2018	Notes:
Dept. Environmental Services		
Drawn By: SMG	Checked By: DW	



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- SWPS-2 STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- LINED CONTAINMENTS
- UNLINED CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH
- Railroad

N S E W

0 400

SCALE IN FEET

FREEPORT-McMoRAN

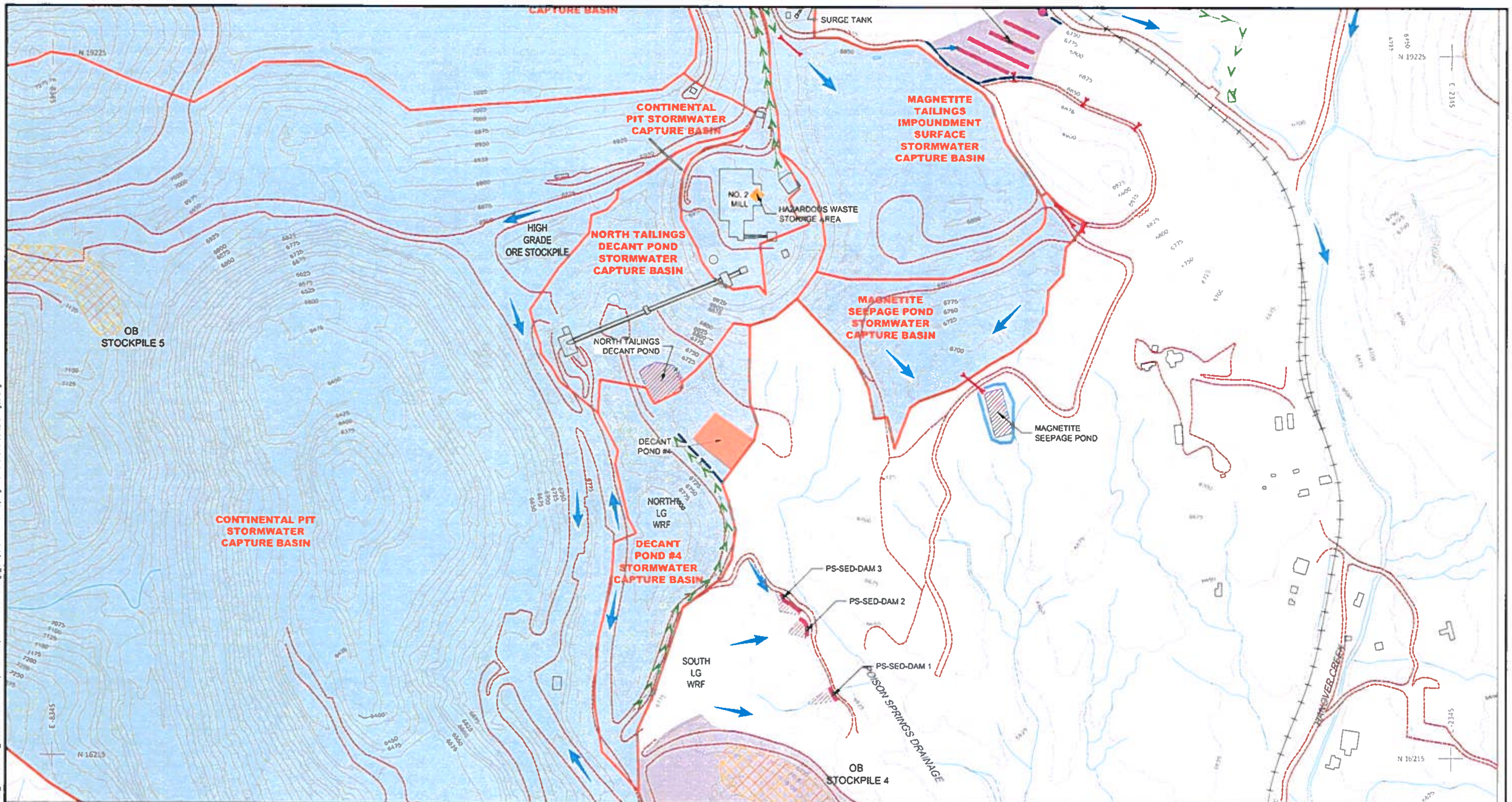
CHINO MINES COMPANY

FIGURE 2

UPPER GRAPE GULCH AND HANOVER DRAINAGES

Scale:	As Noted	Date:	3-1-2018	Notes:
Dept.	Environmental Services			
Drawn By:	SK.	Checked By:	DA	

3/1/2018 \\minoas01\Cobre\T_E\Surface Water CWA_Cobre\MSGP_Cobre\2018 SWPPP Update\Backup data\Calculations\Fig 2_Grape Gulch And Hanover Creek Drainages.dwg



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- SWPS-2 STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- LINED CONTAINMENTS
- UNLINED CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH
- OVERBURDEN STOCKPILES
- Railroad

N W E S

0 400

SCALE IN FEET

FREEPORT-McMoRAN

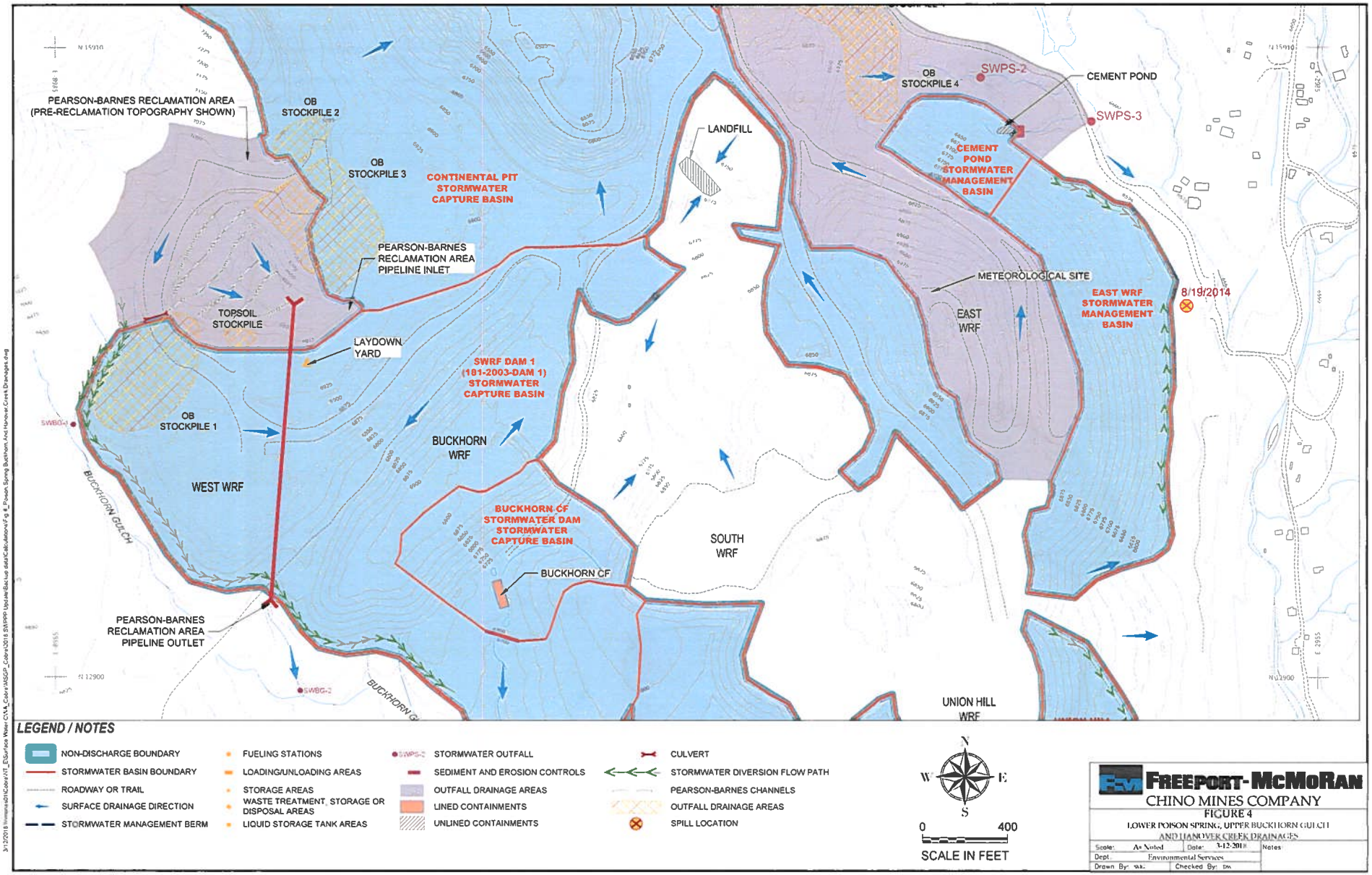
CHINO MINES COMPANY

FIGURE 3

LOWER GRAPE GULCH, UPPER POISON SPRING AND HANOVER CREEK DRAINAGES

Scale: As Noted	Date: 3-1-2018	Notes:
Dept. Environmental Services		
Drawn By:	Checked By:	

3/1/2018 \\cmnas01\Cobre\T_E\Surface Water CWA_Cobre MSGP_Cobre\2018 SWPPP Update\Backup data\Calculations\Fig3_Grape Gulch Poison Spring And Hanover Creek Drainages.dwg



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- LINED CONTAINMENTS
- UNLINED CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH
- PEARSON-BARNES CHANNELS
- OUTFALL DRAINAGE AREAS
- SPILL LOCATION

N W E S

0 400

SCALE IN FEET

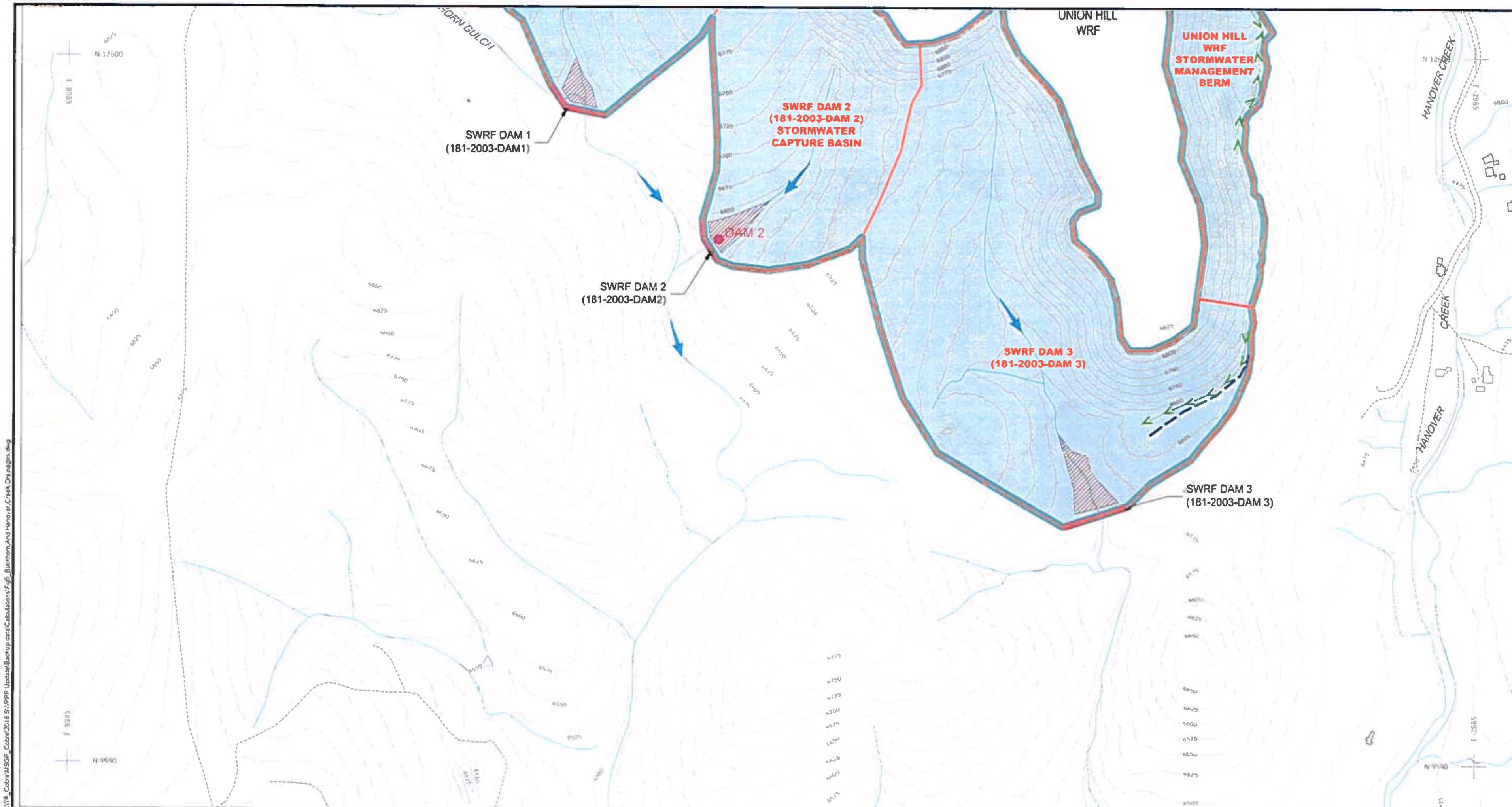
FREEPORT-MCMORAN
CHINO MINES COMPANY

FIGURE 4

LOWER POISON SPRING, UPPER BUCKHORN GULCH AND HANOVER CREEK DRAINAGES

Scale:	As Noted	Date:	3-12-2018
Dept:	Environmental Services		
Drawn By:	wa.	Checked By:	tm

Notes



LEGEND / NOTES

- NON-DISCHARGE BOUNDARY
- STORMWATER BASIN BOUNDARY
- ROADWAY OR TRAIL
- SURFACE DRAINAGE DIRECTION
- STORMWATER MANAGEMENT BERM
- FUELING STATIONS
- LOADING/UNLOADING AREAS
- STORAGE AREAS
- WASTE TREATMENT, STORAGE OR DISPOSAL AREAS
- LIQUID STORAGE TANK AREAS
- STORMWATER OUTFALL
- SEDIMENT AND EROSION CONTROLS
- OUTFALL DRAINAGE AREAS
- UNLINED CONTAINMENTS
- CULVERT
- STORMWATER DIVERSION FLOW PATH

FREEPORT-MCMORAN
CHINO MINES COMPANY

FIGURE 5

MIDDLE BUCKHORN GULCH AND HANOVER CREEK DRAINAGES

Scale: As Noted	Date: 3-1-2018	Notes:
Dept. Environmental Services		
Drawn By:	Checked By:	

Best Management Practices (BMPs)					
Pollutant Source (Material or Activity)	Potential Pollutant	BMP			
		Type	Description	Preventative Maintenance	Backup Procedures
Hanover Creek Basin					
Reclaimed historic mine workings	Sediment, pH, metals from stockpiles	Erosion and sediment control, reclamation	Earthen/rock berms, rock rip rap armoring	Routine site inspections	Onsite heavy equipment for rapid stormwater control
Grape Gulch Basin					
Carpenter shop laydown area	Sediment	Erosion and sediment control	Good housekeeping and berms	Routine site inspections	Onsite heavy equipment for rapid stormwater control
Maintenance facilities, Mill #1, truck and rail load out facility, and the Main Tailings Impoundment	Sediment, potential petroleum product leakage from infrequent vehicle traffic, pH, metals from facilities	Erosion and sediment control	Lined containment ponds, stormwater diversions, berms, seep collection, rock check dams	Routine site inspections	Onsite heavy equipment for rapid stormwater control. Controls in this area also include a series of redundant controls, including ponds and pump-back systems
Poison Springs Basin					
Main Tailings Impoundment, Magnetite Tailings Impoundment, stockpiles, and Mill #2	Sediment, potential petroleum product leakage from infrequent vehicle traffic, pH, metals from facilities and stockpiles	Erosion and sediment control	Earthen berms, concrete dams, seep collection, settling basins	Routine site inspections	Onsite heavy equipment for rapid stormwater control
Buckhorn Gulch Basin					
Stockpiles, seeps, landfills	Sediment, pH, metals	Erosion and sediment control	Earthen berms, concrete dams, seep collection	Routine site inspections	Onsite heavy equipment for rapid stormwater control and capability to pump to Dam 3
Stockpiles, reclaimed historic mine workings, seeps	Sediment, pH, Metals	Erosion and sediment control, reclamation	Earthen berms, culverts, concrete dam	Routine site inspections	Onsite heavy equipment for rapid stormwater control

Substantially Identical Outfall Evaluation

Outfall	Location of Outfall	Industrial Activity	Potential Pollutants (Attachment 8)	Best Management Practices (Attachment 9)	Drainage Area (ft^2)	Runoff Coefficient	Substantially Identical Outfall Name (if applicable)	Reason Discharges are Expected to be Substantially Identical
Hanover Creek Basin								
SWHC-1	East of Hanover Mountain and north of SWHC-3	Reclaimed historic mine workings	Sediment, pH, metals from stockpiles	Earthen/rock berms, rock rip rap armoring	268,348	Medium	SWHC-2, SWHC-3	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.
SWHC-2	East of Hanover Mountain and south of SWHC-1	Reclaimed historic mine workings	Sediment, pH, metals from stockpiles	Earthen/rock berms, rock rip rap armoring	870,000	Medium	SWHC-1, SWHC-3	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.
SWHC-3	East of Hanover Mountain and north of SWHC-2	Reclaimed historic mine workings	Sediment, pH, metals from stockpiles	Earthen/rock berms, rock rip rap armoring	530,000	Medium	SWHC-1, SWHC-2	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.
Grape Gulch Basin								
SWGG-1	West of Hanover Mountain and below the Carpenter Shop	Carpenter shop laydown area	Sediment	Good housekeeping and berms	483,516	Medium	--	--
SWGG-2	South of Hanover Mountain and southeast of Grape Gulch Pond #3	Maintenance facilities, Mill #1, truck and rail load out facility, and the Main tailings impoundment	Sediment, potential petroleum product leakage from infrequent vehicle traffic, pH, metals from facilities	Lined containment ponds, stormwater diversions, berms, seep collection, rock check dams	47,916	Medium	--	--

Poison Springs Basin								
SWPS-2	North of the East Waste Rock Facility and west of SWPS-3	Main Tailings Impoundment, Magnetite Tailings Impoundment, stockpiles, and Mill #2	Sediment, potential petroleum product leakage from infrequent vehicle traffic, pH, metals from facilities and stockpiles	Earthen berms, concrete dams, seep collection, settling basins	74,923	Medium	SWPS-2	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.
SWPS-3	North of the East Waste Rock Facility and east of SWPS-2	Main Tailings Impoundment, Magnetite Tailings Impoundment, stockpiles, and Mill #2	Sediment, potential petroleum product leakage from infrequent vehicle traffic, pH, metals from facilities and stockpiles	Earthen berms, concrete dams, seep collection, settling basins	265,716	Medium	SWPS-1	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.
Buckhorn Gulch Basin								
DAM 2	South of the East WRF	Stockpiles, seeps, landfills	Sediment, pH, metals	Earthen berms, concrete dam	1,080,280	Medium	--	--
SWBG-1	Buckhorn Gulch west of Overburden Stockpile 1	Stockpiles, reclaimed historic mine workings, seeps	Sediment, pH, Metals	Earthen berms, culverts	351,108	Medium	SWBG-2	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.
SWBG-2	Buckhorn Gulch west of West WRF	Stockpiles, reclaimed historic mine workings, seeps	Sediment, pH, Metals	Earthen berms, concrete dams, seep collection	422,916	Medium	SWBG-1	Industrial activities, potential pollutants, and stormwater management practices are essentially the same.

Freeport-McMoRan Cobre Mining Company
Cobre Haul Road Construction
Daily Compliance Checklist:
To be completed by Project Lead

Applicable Permit(s)	**Clean Water Act 404 NWP 14 and MSGP 2015.**
Department/Contractor Name:	**Arizona Special Projects**
Project Overview	The scope of the Cobre Haul Road Construction project is to construct the haul road as designed from Highway 152 through the Forest Road. This work includes grubbing and clearing activities, culvert install, earthwork including cut and fill, and other related activities to the haul road. (See Drawings 3-1 through 3-4 titled "Chino/Cobre HWY 152 and the USFS Road Crossing" with final revision date of 11/20/2014.)
Project Lead:	Superintendent – Kelly Wallace
Environmental Representative:	Devan Williams: 575-313-2849
Environmental Reporting:	**For any spill, or any inspection by a State agency –** CALL: Environmental On-call: 575-538-4906 and Kariann Sokulsky: 575-313-9449 or Devan Williams at 575-313-2849. If these persons do not respond, CALL Security to locate an Environmental representative.
Start Date:	7/5/2017
Project End Date:	
Project Lead Signature: **Quarterly and upon completion of Project, please date, sign and return last inspection form to Environmental.**	

This checklist will be completed daily by the Project Lead or his/her designee.		
Yes	**No**	**Requirement**
		1) SWPPP Training: Each employee working on-site has reviewed and signed a hard copy of the MSGP-SWPPP Training module. (SWPPP)
		2) A copy of the 401 Certification is maintained at the Project site. (404/401)
		3) Fuels and other petrochemicals are being stored outside of the 100-year floodplain of any and all drainages and have secondary containment of twice the stored volume. Indicate compliance with this in Comments section below. (404/401)
		4) Spill clean-up materials – e.g., absorbent and drums -- are available at the Project site. (SWPPP; 404/401)
		5) All heavy equipment has been cleaned prior to mobilizing on site to remove residual petroleum products. (404/401)
		6) All equipment is inspected daily for leaks and will not be used if leaking. See Vehicle/Equipment Daily Inspection sheets. (SWPPP; 404/401)
		7) All equipment must be refueled at least 100 feet from surface water channels. (404/401)
		8) Work in the stream channel is limited to periods of no flow. (404/401)
		9) Measures must be used to prevent blasted, ripped, or excavated soil or rock from entering surface water. (404/401)
		10) Preventative measures must be used to ensure unused/unexploded blast materials (or impacted soils with blast materials blended in) are removed from the site. (SWPPP)

		11) Waste Management – All trash is placed into solid waste containers or roll-off(s). (SWPPP)
		12) Erosion and Sediment Control – Are any controls required for the day? If so please note in Comments section below. (SWPPP)
		13) At end of shift, vehicles and equipment are staged at designated parking areas with secondary containment. Note parking areas in the notes below or on an attached map. (SWPPP)
		14) Flowing water is to be diverted around the work area with non-erodible diversion structures (such as sand bags, geotextile/plastic lined channel, etc). (404/401)
		15) All construction materials must be properly handled and contained to prevent releases to surface water. Dumping of waste materials in or near watercourses is prohibited (SWPPP; 401/404)
		16) Any spills will be reported to Environmental On-call (575-538-4906) as soon as possible and no later than the end of shift. (SWPPP)

Requirement Number	Comments for Items on Checklist
3	**Describe where petroleum products are being stored and secondary containment if applicable:**
12	**Describe stormwater controls required for day (e.g. wattles, silt fence, hay bales, sediment basin, etc.):**
13	**Vehicle and Equipment staging areas:**

ATTACHMENT 9A: ROUTINE BMP INSPECTION FORM
Hanover Creek Basin

Inspector's Name: _____ Time and Date of Inspection: _____

Inspector's Signature: _____ Weather Conditions: _____

Industrial Materials Identified: reclaimed historic mine workings. ***BMPs Identified:*** earthen berms/rock check dams, rock rip rap armoring.

Observation	Yes	No	Action Needed		Actions To Be Taken	Date when action was completed
			Yes	No		
Are industrial materials and control measures consistent with those identified above as well as those described in sections 3, 4, and in attachments 5 and 8 of the SWPPP?						
Are discharges occurring? If **Yes**, describe below in **Comments** the nature and extent of discharge. Per section [3.1] At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring.						
Are there any previously unidentified discharges and or pollutants at the site?						
Is there any evidence of, or the potential for pollutants to enter the drainage system?						
Do any control measures need maintenance, repair or replacement?						
Are any additional control measures needed to comply with the MSGP-2015 permit requirements?						
Are there any incidents of non-compliance?						
Are there areas where spills have occurred in the past three years? If **Yes**, describe below the date of spill, the area visited and any relevant observations.						
Are there industrial materials, residue or trash that may have or could come into contact with storm water?						
Are there any leaks or spills from industrial equipment, drums, tanks and other containers?						
Is there offsite tracking of industrial or waste material, or sediment where vehicles enter or exit the site?						
Is there tracking or blowing of raw final or waste materials from areas of no exposure to exposed areas?						

Comments: _____

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature: _____ **Title:** Manager Environmental Services

Name of Authorized Representative: Sherry Burt-Kested **Date:** _____

Printed Document is uncontrolled Revised March 2018
File this form in the Routine BMP Inspection binder
Retain This Record for a Period of at Least 3 Years after permit expiration

ATTACHMENT 9A: ROUTINE BMP INSPECTION FORM
Grape Gulch Basin

Inspector's Name: _____ Time and Date of Inspection: _____

Inspector's Signature: _____ Weather Conditions: _____

Industrial Materials Identified: Carpenter shop laydown area, maintenance facilities, Mill #1, truck and rail load out facility, and the Main Tailings Impoundment. ***BMPs Identified:*** good housekeeping, berms, lined containments ponds, stormwater diversions, seep collection, and rock check dams.

Observation	Yes	No	Action Needed		Actions To Be Taken	Date when action was completed
			Yes	No		
Are industrial materials and control measures consistent with those identified above as well as those described in sections 3, 4, and in attachments 5 and 8 of the SWPPP?						
Are discharges occurring? If **Yes**, describe below in **Comments** the nature and extent of discharge. Per section [3.1] At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring.						
Are there any previously unidentified discharges and or pollutants at the site?						
Is there any evidence of, or the potential for pollutants to enter the drainage system? Are Upper Creek Containment Pond 1, Blackman's Seep Pond #2, and Grape Gulch Pond #3 effectively retaining affected storm and seep water?						
Do any control measures need maintenance, repair or replacement?						
Are any additional control measures needed to comply with the MSGP-2015 permit requirements?						
Are there any incidents of non-compliance?						
Are there areas where spills have occurred in the past three years? If **Yes**, describe below the date of spill, the area visited and any relevant observations.						
Are there industrial materials, residue or trash that may have or could come into contact with storm water?						
Are there any leaks or spills from industrial equipment, drums, tanks and other containers?						
Is there offsite tracking of industrial or waste material, or sediment where vehicles enter or exit the site?						
Is there tracking or blowing of raw final or waste materials from areas of no exposure to exposed areas?						

Comments: _____

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature: _____ **Title:** Manager Environmental Services

Name of Authorized Representative: Sherry Burt-Kested **Date:** _____

Printed Document is uncontrolled Revised March 2018
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Retain This Record for a Period of at Least 3 Years after permit expiration

ATTACHMENT 9A: ROUTINE BMP INSPECTION FORM
Poison Springs Basin

Inspector's Name: _____ Time and Date of Inspection: _____

Inspector's Signature: _____ Weather Conditions: _____

Industrial Materials Identified: Main Tailings Impoundment, Magnetite Tailings Impoundment, stockpiles, and Mill #2.
BMPs Identified: Earthen berms, concrete dams, seep collection, settling basins

Observation	Yes	No	Action Needed		Actions To Be Taken	Date when action was completed
			Yes	No		
Are industrial materials and control measures consistent with those identified above as well as those described in sections 3, 4, and in attachments 5 and 8 of the SWPPP?						
Are discharges occurring? If **Yes**, describe below in **Comments** the nature and extent of discharge. Per section [3.1] At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring						
Are there any previously unidentified discharges and or pollutants at the site?						
Is there any evidence of, or the potential for pollutants to enter the drainage system? Is the Decant Pond, Magnetite Containment Seep and interceptor trench, Poison Springs interceptor and the Cement Pond and interceptor trench effectively retaining affected storm and seep water?						
Do any control measures need maintenance, repair or replacement?						
Are any additional control measures needed to comply with the MSGP-2015 permit requirements?						
Are there any incidents of non-compliance?						
Are there areas where spills have occurred in the past three years? If **Yes**, describe below the date of spill, the area visited and any relevant observations.						
Are there industrial materials, residue or trash that may have or could come into contact with storm water?						
Are there any leaks or spills from industrial equipment, drums, tanks and other containers?						
Is there offsite tracking of industrial or waste material, or sediment where vehicles enter or exit the site?						
Is there tracking or blowing of raw final or waste materials from areas of no exposure to exposed areas?						

Comments: _____

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature: _____ **Title:** Manager Environmental Services

Name of Authorized Representative: Sherry Burt-Kested **Date:** _____

ATTACHMENT 9A: ROUTINE BMP INSPECTION FORM
Buckhorn Gulch Basin

Inspector's Name: _____ Time and Date of Inspection: _____

Inspector's Signature: _____ Weather Conditions: _____

Industrial Materials Identified: stockpiles, reclaimed historic mine workings, seeps, landfills. ***BMPs Identified:*** earthen berms, culverts, concrete dams, and seep collection.

Observation	Yes	No	Action Needed		Actions To Be Taken	Date when action was completed
			Yes	No		
Are industrial materials and control measures consistent with those identified above as well as those described in sections 3, 4, and in attachments 5 and 8 of the SWPPP?						
Are discharges occurring? If **Yes**, describe below in **Comments** the nature and extent of discharge. Per section [3.1] At least once each calendar year, the routine inspection must be conducted during a period when a storm water discharge is occurring.						
Are there any previously unidentified discharges and or pollutants at the site?						
Is there any evidence of, or the potential for pollutants to enter the drainage system?						
Do any control measures need maintenance, repair or replacement?						
Are any additional control measures needed to comply with the MSGP-2015 permit requirements?						
Are there any incidents of non-compliance?						
Are there areas where spills have occurred in the past three years? If **Yes**, describe below the date of spill, the area visited and any relevant observations.						
Are there industrial materials, residue or trash that may have or could come into contact with storm water?						
Are there any leaks or spills from industrial equipment, drums, tanks and other containers?						
Is there offsite tracking of industrial or waste material, or sediment where vehicles enter or exit the site?						
Is there tracking or blowing of raw final or waste materials from areas of no exposure to exposed areas?						

Comments: _____

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature: _____ **Title:** Manager Environmental Services

Name of Authorized Representative: Sherry Burt-Kested **Date:** _____

Printed Document is uncontrolled Revised March 2018
File this form in the Routine BMP Inspection binder
Retain This Record for a Period of at Least 3 Years after permit expiration

Attachment 9B: Quarterly Visual Assessment Form

Sampler's Name _____ Storm Event Duration (hours) _____

Sampler's Signature _____ Nature of the Discharge (runoff or snowmelt) _____

Sample Collection Date _____ Rainfall Measurement (inches) _____

Sample Collection Time _____ Discharge Sample Volume (gallons) _____

Estimated Discharge Start Time _____ Days Since Previous Measurable Event (>0.1 inches) _____

For substantially identical outfall, select one outfall per column per quarter. Complete one form per outfall unless no recorded flows for quarter.

☐ SWHC-1 ☐ SWGG-1 ☐ SWGG-2 ☐ Dam 2 ☐ SWBG-1 ☐ SWPS-2
☐ SWHC-2 ☐ SWBG-2 ☐ SWPS-3
☐ SWHC-3

Observation	Yes	No	Comments
Was a visual assessment performed for the quarter? If No, provide rational within Comments per section [3.2.3]			
Color			
Odor			
Clarity (diminished)			
Floating solids			
Settled solids			
Suspended solids			
Foam			
Oil sheen			
Other obvious indicators of storm water pollution? If Yes, describe probable sources of any observed storm water contamination.			
Was sample collected within first 30 minutes of discharge? If No, provide explanation.			
Was sample collected after the first 30 minutes but before the first hour of discharge?			
Was sample collected at least 72 hours from the previously measurable event of greater than 0.1 inches? If No, describe why.			
Is this a substitute sample? If Yes, identify the quarter and year originally scheduled.			

I certify under penalty of law that this document and all attachments were prepared under my direction and supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Authorized Signature

Manager Environmental Services
Title

Sherry Burt-Kested
Name of Authorized Representative

Date

File completed forms in the appropriate environmental files
Retain for life of permit plus three (3) years.